

An abstract of all the Pe-

*nall Statutes which be generall, in force and
use, wherein is contained the effect of all those Sta-
tutes which doe threaten to the Offenders thereof the losse of
life, member, lands, goods, or other punish-
ment or forfeiture whatsoever.*

VWhereunto is also added in their apt Titles, the
effect of all other generall Statutes, wherein there is any
thing materiall and necessarie for the
Subject to knowe.

Moreover, the Authentie and duetie of all Iustices, She-
rifes, Coroners, Eschetors, Maiors, Baylives, Customers, Comp-
trollers of Custome, Stewards of Leetes and Liberties,
Ministers and Burgeys, and what things by the letter
of severall Statutes in force they may, ought,
or are compellable to doe.

¶ Collected by **FARDINAND PULTON** of **Lincolnes Inne**, and
by him corrected and augmented since the **Par-**
liament holden Anno 31. Regi-
næ Elizabethæ.

DEUT. 17.8.&c.

If there rise a matter too hard for thee in Iudgement, in matters of controuersie within
thy gates, then shalt thou arise and come vnto the Priests, vnto the Levites, & vnto the
Iudges, and aske, & they shal shew thee the sentence of Iudgment. Thou shalt not de-
cline from thence, neither to the right hand nor to the left. And that man that will
doe presumptuously, nor hearkning vnto the Priest that standeth before the Lord, or
vnto the Iudge, that man shal die, and thou shalt take away euill from Israel.



**Imprinted at London by the Deputies
of Christopher Barker, Printer to the Queenes
most excellent Maiestie.**

ANNO 1592.

Cum privilegio ad imprimendum solum.

Robi Rolli decaſtichon ad lectorem.

En tibi pœnales ſcriptas pulchro ordine leges:

Quæ ſ mores formes inſtituâſque tuos.

Pœnales dixit, ne forſan temnere poſſes:

Pœna grauis vitam ne grauet vlla tuam.

Quicquid erat ſcitu dignum, quodcũque ſtatuta

Ante docent, mira tradit hic arte liber.

Adde quod in promptu hic reperis, facilitque la-

Quæ fuerât alijs mille petenda locis. (bore;

Pulſtono ſcopus eſt vnus, meta vna laboris,

Legibus vt bona ſit conſona vita bonis.



TO THE RIGHT WOR-
 shipfull Sir WILLIAM CORDELL Knight,
 Master of the Roules, Fardinando Pulton wisheth
 long continuance of prosperous life, with
 great increase of Worship.



After the *Romanes* had banished their Kings, remo-
 ued their Consuls, and placed ten principall Magi-
 strates called *Decemviri*, yeerely by turne to go-
 uerne their Citie, they sent three Embassadours to
 Athens, and other Cities of Greece, to learne and
 fetch them the Lawes of *Solon*, and other annient
 rites, and ordinances of those Cities: which being
 brought to *Rome*, were perused by the sayd ten Ma-
 gistrates and the Senate, and one by one were by them examined, sifted,
 and reformed according to the time, their maner of gouernment, and the
 nature of their people, and reduced into ten Tables: Then were they pub-
 lished to the whole multitude of Citizens, established by the 35 Tribes,
 ingraued in pillars of Brasse, and set in a most open place of the Citie for
 all men to beholde, to the intent that eche man might at his pleasure
 dayly peruse the same, and no wayes be ignorant of those Lawes, which
 he was bound to obey. By which Tables & other two shortly after there-
 vnto annexed, the flourishing *Romane* Empire was chiefly gouerned by
 the space of many ages, and they doe remaine the ground of the Ciuill
 Lawes vsed to this day in diuers partes of the world. Euen so, when the
 mightie God of Iacob had with diuers miraculous plagues punished the
 land of Egypt for his elect people of Israels sake, caried them thorow the
 red Sea, drowned therein King Pharaon and his hoste, sweetned the bitter
 waters for them to drinke, sent them foode from heauen, & brought them
 by a cloudy pillar in the day, & a fiery pillar in the night vntil they came to
 mount Sinai, he then gaue them diuers commaundements, and made vnto

Titus Livius
 dec. 1. lib. 3.

Dionys. Hal-
 car. lib. 10.

Exod. 17. &c.

A. ij.

them.

Deut. 11.

Deut. 27.

Ioshua 8.

them many Lawes and Statutes, concerning due honour to be done vnto him, concerning their duetie to their Princes, Magistrates, and Leuites, to their parents, neighbours & strangers, concerning the direction, order and guiding of their wiues, children, seruants, lands, goods, and other things necessary for the vse of man. And then most straightly charged them, that the same commaundements should be in their hearts, that they should shew them vnto their children, that they should talke of them when they were at home in their houses, and as they walke by the way, when they lie downe, and when they rise vp, that they should binde them for a signe vpon their hands, that they should be warnings betwixt their eyes, that they should write them vpon the postes of their houses, and vpon their gates. And moreouer when they came into the land of promise, that they should set vp great stones in mount Ebal, plaster them with plaster, and write vpon them all the wordes of those Lawes. Which commaundements Ioshua the seruant of the Lord did after most faithfully perforce. With which good examples and such like, together with the care of their subiects by Almighty God to them committed, the vertuous Princes and Gouvernours of this Realme being mooued, haue not onely provided for the due obseruation of the Lawes of God within these their Kingdoms and Prouinces, picked soorth the purest iuice and pithiest marrow of the Lawes of the Romanes and other Regions, and from time to time by the aduice of their Nobles and consent of their Commons, decreed, altered, and reformed the same according to the inclination of their Subiects, and disposition of the inhabitants of their Dominions, but also haue bene most carefull that those Lawes and Statutes which were newly ordeined, should be in such sort published, spread abroad, and made knowen, that eche person bound to obey the same, might take knowledge of that whereby he was to liue, to receiue benefite, or sustaine losse, (alwayes intending that those Lawes which the finger of God hath written in the heart of man, or nature infused into him vpon his first creation, or reason, the only cognisance of mankinde, instilled into his breast, or which the auncient Maximes and Customes of the Realme, the very ground of all our Common Lawes haue instructed him, be not to any English man, hauing the cleare vse of *Synderisis* wholly vnknown,) And therefore they haue provided that their Iustices of *Oyer and determiner*, their Iustices of Assise, and Gaole deliuerie at their generall Assises, their Iustices of Peace at their Quarter Sessions, their Sherifes in their Turnes, their Stewards of Leets & Liberties in their Courts (vnto which Assises, Sessions, & Courts, the greater number of people being aboute the age of xij. yeres, are bound to resort) should not only openly declare what Lawes & Statutes haue bin made for the punishment of severall great offences, but also should execute the paines & penalties of the same vpon the transgressors thereof: that the

The Epistle.

the chastisement of some might be to others a learning to knowe the same Lawes, and also a warning to them to auoyde the danger thereof: And further they haue foreseene, that some special statutes which be most dangerous, and into the perill whereof the ignorant people are likeliest to slide, should be openly read in the foresaid Courts, that the hearers thereof should not only vnderstand themselves, but also instruct their neighbours at home, of those most Penall Lawes, & of the great dangers thereof. And for that cause King Ed. 1. ordeined by Parliament, that the statute 25. Ed. 1. 3. of *Magna Chart. and Charta Forest.* should be openly read in Churches: King R. 2. decreed that the Statute of Winchester should be openly proclaimed by euery Sherife of England in his proper person foure times in the yeere in euery Hundred within his Countie, and by his Bailifes in euery Market. King H. 6. enioyned euery Sherife vpon a great paine, that he 7. R. 2. 6. should foure times euery yere through his Bailiwick, proclaime certaine 1. H. 6. 2. Statutes provided for Puruiours. King H. 8. commaunded that the Statute made for the maintenance of Artillerie and debarring of vnlawfull 20. H. 6. 8. Games, should be openly proclaimed euery Quarter once, by all Maiors, 33. H. 8. 9. Bailifes, Sherifes, and other head Officers: And that Iustices of Gaole deliuerie, Iustices of Assise, and Iustices of Peace, should cause the same to be proclaimed in the Sessions holden before them. Queene M. provided 1. M. 12. that the Statute made against vnlawfull and rebellious assemblies, should be published at euery Quarter Sessions, and at euery Leete and Lawday. And our Soueraigne Lady Queene El. hath by authoritie of Parliament 5. EL. 1. established, that the Stat. ordained for the assurance of her Maiesties Royall all power ouer all states and subiects within her Dominions, should be openly declared at euery Quarter Sessions, and at euery Leete and Lawday, and once in euery Terme in the open Hall of euery house of Court and Chauncery. So that in the place of Prayer, in the place of Iustice, and in the place of seeking our priuate commoditie, our Princes haue deuised to sound into our eares, and to imprint into our memorie the effect of the foresayd Lawes, with the fruits that be promised to the obseruers, and the punishments which be threatned to the infringers thereof. And sometime, finding time to worke forgetfulnesse, or their lenitie to encourage slacknes in their Subiects of due obseruance of some speciall Statutes, they doe with a fatherly care by Commiffion, proclamation, or some other meates, gently put them in remembrance thereof, requesting, perswading, and as it were vpon their blessing charging them that they would doe the partes of good children, and obediently obserue those ordinances which were decreed by their owne or their ancestors consent. Besides all this, they haue caused to be Printed the foresayde Statutes with their preambles, declaring the speciall considerations of the making of a newe, abrogating, altering, or reforming an olde Lawe, to the intent that euery

one which desireth to know, may reade, and thereby perceiue the cause, and contents of the same. So that our worthy Princes haue played the partes of Gods good Lieutenants in these their Regions, they haue layde a foundation of all their statutes and decrees, the worde and euerlasting Testament of the Almighty, they haue vsed those Lawes of the *Romanes*, *Grecians*, *Saxons*, *Normans*, and other Countreys, which be most correspondent to the ordinances of God, consonant to reason, and agreeable to the inclination of their Subiects, they haue indeuoured themselues further to publish them, then ingrauing in brasse, or writing in stone setled in one place certaine, can doe. Whereby is plainly declared, not only their great foresight to make good Lawes, but also their speciall care to notifie the same, that ignorance might not excuse offenders, nor want of notice, leade awry such as are willing to liue in order. But because the Gouernours of this state, from time to time carefull to provide such Lawes, as were most commodious for the weale publique, haue bene enforced to trie many, to continue diuers, to alter and reforme some, according to the disposition of the wauering minded people, fertilitie of the soyle, quietnesse of the government, friendship of the Regions adioyning, and other accidents and circumstances whereunto our humane nature is subiect, by that necessarie meanes our statute Lawes are growen to be many, some much differing, and some meere contrary and repugnant to others: for sithence the time of King H. 3. (in the ninth yeere of whose reigne *Magna Charta* the first Statute that we haue in print, was made) there haue bene a great number of Statutes written, some in Latin, some in French, some ordeined to be in force for one Kings time, some for another, some repealed in part, and confirmed in part, some repealed by speciall, and some by generall wordes, as by three branches of three seuerall Statutes, there be at the least 120. other Statutes and branches of Statutes repealed. So that time hath wrought triall, much triall hath procured a number, a number provided at seuerall times, by seuerall persons, and to seuerall endes, hath brought in some question which be in force, and which not, and thereby imprinteth feare to many willing mindes to reade, and discouragement to vnderstande those Lawes, which otherwise they would in their knowledge imbrace, and in their deedes obey. Whereupon considering with my selfe, howe carefull our Princes haue bene in all ages to provide good Lawes, how mindfull to publish them, and how desirous to see them obserued: And againe remembring howe ioyfull every good Subiect is of good Lawes, how ready to learne them, and how obedient to execute them, and that the Prince and the Subiects doing their parts, onely time (the beginner, increaser and subueter of humane policies) hath wrought some defects, and procured some difficultie in vnderstanding of our Statute lawes, euer meant to be most plaine and

1. H. 4. 3.
5. Ed. 6. 22.
3. Eliz. 4.

The Epistle.

and easie to conceiue: I therefore (Right worshipfull) haue vndertaken to publish in our English tongue, the most effectuall Statutes which be generall, and at this day in force and vse, together with those Statutes which doe limit the authoritie and duetie of Iustices of Peace, Sherifes, and certaine other necessarie Magistrates, and which doe teach them how to rule, and how to obey. Wherein my meaning in the beginning of mine enterprise, was to set downe no other Statutes but which be to all, or at the least, to some intents in force, and not any which either be wholly repealed, or whereof the vse to all intents is taken away, hauing an earnest desire, and a speciall good will to collect all those Statutes, and branches of Statutes, which be receiued as Law and in force at this day, and none but which be in force and allowed for Law. But sithence Salomon Eccles. 8. himselfe proclaymeth that mans wisdom is vnperfect, and his knowledge in eche Science vncertaine: Therefore I being vitterly destitute of that wisdom, and but of slender knowledge in the Lawes wherein I deale, neither may, doe, nor will presume to thinke that by any meanes I am able to performe my desired enterprise, or to bring to perfection this so waightie a matter, and so intricate a cause: For though I may say with Saint Paul, *Nihil mihi conscius sum*, I know not what I haue mistaken, or 1. Corin. 4. wherein I haue erred: yet will I not dare to report, or be encouraged to affirme that my worke is perfect, or that I haue fully perfourmed my Title, and long wished attempt. And for that cause, standing in doubt whether I were best to conceale many truths, or aduenture to report some errors: The learned Philosopher *M. Tullius* whispered in mine eare, *Quod falli, decipi, errare humanum est*, and telling me, (so farre as his prophane knowledge extended) to what vse I was borne, and to whose benefite I should liue, he pressed me to hazard some part of my credite to doe my Countrey and Countreymen good, auowing by all his goods, that if the valiant *Horatius Cocles* had not aduentured his life, and the lingring *Q. Lin. dec. x. Fabius* his honor, for the benefit of their Countrey, it is like that Rome and lib. 2. the Name of Romanes had bene cleere extinct long time before the Roman Monarch began. But as it hath pleased you (Right worshipfull) for Lib. dec. 3. lib. 2. the zeale you beare vnto Iustice, the care you haue of your Countrey, and the good will you owe vnto euery good Subiect, to be a furtherer of all honest and vertuous proceedings, and amongst others to encourage me in this my trauel, & to assist me with your sage aduice: so if in cōtinuing your said affection, you will vouchsafe to become amongst vs, another *Iustinian*, you shal doubtles finde *Tribonian* and many of his felowes ready with reuerence to attempt your wholesome directions, & execute your lawful deuices, & willing not only to remoue those imperfections, which by my weaknes of iudgement, or slacknesse of consideration haue happened in this treatise, but also to polish and reforme the necessary works of seuerall

7
1
The Epistle.

wise and learned men in the Lawes of this Realme, wherein time hath wrought some defects. And as experience, and diuers writers doe tell vs, that the name of *Infinian* remaineth famous to this day in most ciuill Nations vnder Heauen, for onely causing other men to collect into order and a small number of bookes, the ciuill Lawes ordeined by other Princes: So you by procuring to be reduced into some perfect Method the confused number of our Lawes provided in seuerall ages, in seuerall manner of gouernments, vpon seuerall causes, and to seuerall endes, may purchase to your selfe perpetuall renowme of all Englishmen, whilest these our English Lawes shall rule them. And as we, which now enjoy the benefites of your trauaile in place of Iustice, doe worthily esteeme you being liuing, so shall our posteritie yet vnborne, tasting the fruites of your sayd industry, and receiuing instruction by your direction, reuerence your name by the space of many generations, after your soule shall rest in ioy.

From *Lincolnes Inne* by
your *VVorships* to vse,

Ferdinando Pulton.



The Table.

A	Appeales of Felonie.	20	97.98.99. Wales. 36			
Abbettons.	S. Appreintice.	s. Laborers.	Auncient demesne.	s. Aff.		
Appeales.	5.	Appropriations.	s. Ecclesi-	file.	9.	
Abbies &c.	S. Monaste-	alticall persons.	33	Autompe.	Autowere.	30
rics.		Approuers.	20	Autowson.		31
Abilitie & non abilitie.	1	Approuements.	21		B.	
Abiuration.	s. Sanctuarie	Archerie.	21			
Abidgemets of plaints.	1	Armour.	22	Adge.	s. Liueries and	
Accessarie.	s. Appeale.	Arrowheads.	24	Retaynors.	s. Sanctua-	
Actions popular	1	Arrests.	24	rie.	12.	
Accomptants and debtors		Artificers.	24	Badger.	Lader.	Carper.
to the Queene.	3	Assaults & frapes.	s. Figh-	Diouer.		32
Accompt.	10	ting. &c.		Bayle.	S. Mainprise.	
Accusation.	11	Assettes.	s. Accomptants	Baylife in assise.	s. Assise.	
Additions.	11	to the Queene.	6.		10.	
Adiournemets.	s. fines.	Assise.	25	Baylifes of Franchises.		
Admeasurement.	11	Assise of Bread and Ale.		Liberties and Townes.		
Administrators.	12	s. Weights.	15.	See Corporations and		
Admirall.	Admiraltie.	Assise of varraine present-		Franchises.	1.3. & She-	
Ad quod damnum.		ment.	s. Auowson.	rifes.	30.	
S. Mortmaine.	10.	7.8.		Bailifes of hundreds.	See	
Age.	12	Association.	s. Discontin-	Sherifes.	17.19.27.28.	
Aide to marry the daugh-		ance of proces.	2.	Wales.	50.	
ter &c.	13	Wales.	6.	Bakers.	S. Artificers	1.
Aide of the Queene.	13	Attachment.	s. Accom-	Vitailers.	4. Waighthes.	
Aiel.	s. Cofinage.	tants to the Queene.			15.	
Ale and Beere.	s. Bruers &	46. Marches.		Bankes.	s. Sewers.	
Weights.	15.	Attachment vpon prohibi-		Bankrupts.		32
Alehouse.	13	tion.	s. Prohibition.	Barbours.	s. Surgeons.	3.
Alienation without licke.		Attaine.	26	4.5.7.		
s. Prerogatiue.	7.8.	Attorney.	29	Bargaine & sale of landes.		
Aliens.	13	Attournement.	S. Fines.	S. Accomptants to the		
Almes.	s. poore people.	23.		Queene.	30. Bakrupts.	
Ambodexter.	s. Iurors.	6.	Auditor and Receiuer.	30	2. Inroulements.	
Amendments.	Records.	12	Guernment.	s. Returne.	Barke.	34
Demurrer.	2.3. Fines.	&c. 8.		Barrettons.	s. Iustice of	
28.37.		Augmentations.	s. Mona-	peace	18.	
Amercement.	16	stries.	12.	Bastardie.		34
Apparance.	16	Aulneger.	Aulnage.	S. Beades.	S. Rome.	5.
Apparell.	16	Draperie.	53.87.88.89.	Bedding.	s. Vpholster.	
Appeales and pronocati-		90.91.92.93.94.95.		Beggars.	s. poore people	
ons.	19	96.		and Vagabondes.		

Bell

The Table.

Bell metall,	S. Brasse.	Canons,	s. Conuocati-	Ecclesiasticall.
Benefices, s. Ecclesiastical	on. 2.	Calculation, s. Newes.	7.	Clerke of the crowne, s.
persons.		Captaines, Souldiers,		Certificat of Conuicts,
Beere, s. Alehouse and		Dusters,	42	Clerke of the market, 50
Brewers,		Cappes, s. Hattes,		Clerke of assise, 50
Berwicke,	35	Castles & fortresses,	44	Clerke of the signet, and
Besafel, s. Cofinage,		Cattell,	44	private seale, 50
Buying of titles, s. Main-		Cause to remoue plee,	s.	Clerke of the peace, 51
tenance, 7.		Remouer, 1. Repleuin,	2.	Clerke of the Eschequer,
Bigamy, s. Clergie, 15.		Certificate of Conuicts,		s. Eschequer, 12.
Bishops,	35	Certificate of Assise, s. Al-		Clerke of the petty bag, s.
Bloodshed, s. Fighting, 1.	45.	lice, 10.		Office, 5. 6.
Bookes,	35	Certiorari, s. Corpus cum		Clerke of the Sewers, s.
Boates, Boatemmen,	36	causa, 1. Remouing,		Sewers, 14. 15.
Bowes and bowstaues,	38	&c. 1.		Clerke of the Sherife, s.
Bowling, s. Playes, 4.		Cessauit,	45	Sherifes, 4.
Braile, Latten, Copper, &		Challenge,	46	Clerkes of the statute, s.
Belmettall,	38	Champertie, s. Maynte-		Statutes, 2. 8. 13.
Bread, s. Weightes, 15.		nance,		Clothes, s. Draperie,
Bridges,	39	Chappels, s. Monasteries,		Cofeser to the D. S. Ac-
Brokers, s. Vsury, 7.		14. 15.		comptants to the
Woolles, 10.		Chappels, s. Ecclesiasti-		Queene, 29. 35.
Byuers,	40	call persons, 19. 20. 22,		Coyne, s. Money,
Buggerie, s. Felonie, 9.		23.		Coles, s. Fuel, 1. Woods,
Buckstalles, s. Hunting, 3.		Charter, s. Pardon,		26.
Bullion, s. Money, 2.		Chauuntries, Colledges,		Collector, 51
Bulles of Absolution, s.		Chappels, and Hospi-		Colledges, s. Monaste-
Rome, 2.		talles, s. Monasteries,		ries, 14. 15.
Burglarie, s. Clergie, 10.		Cheese, s. Butter,		Common, s. Approoue-
12.		Cherter and Cheshire, 47		ment
Burning,	40	Churches, s. Ecclesiastical		Commissions and Com-
Burning through the		persons, 31. 32. 33.		missioners, 51
care, s. Vagabondes, 4.		Churches, s. Sacraments,		Condition, covenant, 52
Butchers,	40	&c. 11.		Condits, 52
Butler to y ^e Queene,	41	Churchyards, s. Ecclesiast,		Coniuration, 52
Butter and Cheese,	41	persons, 34.		Congregation and Chap-
Buttes,	41	Theicographer,	47	ters, s. Aliens, 11. Felon-
		Citation,	48	ny, 27.
		Clergie of England, See		Conspiracie, 53
				Constables of Castels, s.
				Castles, 3. and Puruey-
				ours, 6.

Constat.

The Table.

Constat. s.Exemplifica- tion.	prerogative.	Hunters.1. Purveyors
Constitution s. Conuo- cation. 2.	Cui in vita. s. Women. 5.	10.
Consultation. s. Prohibi- on. 8. 9. 10.	Custos Rotulorum. 65	Domicks. s. Couerlets.
Contra formam collatio- nis. S. Cessavit. 3.	Customes, subsidies. 65	5.
Contribution. s. Willes. 18.	Curpuse. s. Clergie. 1.	Dowlas and Lockeram.
Contra formam Fcoffa- menti. s. Suit of Court. 1	Cutting Dammes, heads of poudes, Conditz. &c.	s. Linnen cloth.
Conuocations. 53	s. Fish. 7.	Dower. 72
Conulance. s. Affise. 9.	D.	Diaperie. 74
Cookes. s. Butchers. 7.	DAmages. 68	Dying and dyers. 75
Artificers. 1.	Dayes of grace. s. Re- ceite. 2.	Diallatch. s. Felonies.
Coparceners. s. Partition.	Darraine presentment. S.	35.
Copihold. s. Bankrupts. 3.	Auowson. 3. 7. 8.	Driving of Forrestes and commons. S. Horses.
Monast. 11. 23. Fugi- tious. 3. Ryots. 22. Lu- rors. 14.	Decies tantum. s. Iurors. 5.	7.
Copper. s. Brasse.	Deedes & writings. s. In- roulements.	Dures. s. Felony. 17.
Cordioners. s. Lether.	Denizens. s. Aliens.	Dutton. s. Poore. 19.
Coine and Graine. 53	Deobandes. s. Coroners. 10.	Durham. 86
Corpus cum causa. 55	Debt to the Queene. s.	E.
Corporations &c. 55	Accomptants to the Queene.	Eares. 86
Coroners. 59	Deuise. s. Willes.	Ecclesiastical persons and liuings. 86
Cosmage. 61	Demurrer. 70	Ecclesiasticall iurisdiction
Costes. s. Dammages.	Dilapidations. 70	s. Queene. 3.
Cottages. 61	Discent. s. Entric.	Ecclesiasticall lawes. See
Covenants. S. Condi- tion.	Disceipt. 70	Periurie. 3. Vfurie. 9.
Couerlets. 62	Discontinuance of right. s. Women. 1.	Egges. s. Wildfoule.
Counterfaising of letters. priuie tokens. 62	Discontinuance of proces 70.	Egyptians. 95
Coupers. 63	Dismes. s. Ecclesiast. 28.	Eiectment of ward. See
Countie of shire court. 64	& Tenthes.	wards. 2.
Crosbowes. s. Gunnes.	Dispensations. 71	Election. s. Corporations.
Crosses. s. Rome. 5.	Disseisin. s. Affise.	5. 29.
Crowes. Rookes.	Distresse. 71	Elegit. s. Execution. 1.
Choughes. 64	Diuine service. s. Sacra- ments.	Embracery. s. Iurors. 5.
Crowne. s. Queene and	Dogges. s. Forrestes. 6.	Maintenance. 3. 4. 6.
		Engrossers. s. Foretallers
		3.
		Enquestis. s. Iurors.
		Entric. 95
		Entric with force. s. Forci- ble entry.
		Error. 95
		Escape. 96
		Exchange.

The Table.

Exchange, s. Money, 1.	Finours, s. Gold, 1.	Gale and gaplois, s.
Eschequer, 97	First fruites, s. Ecclesiast.	Prisons, 11
Eschete, s. Prerogative, 24, 25.	Fish and Fishers, 120	Gardeine, s. Wardes, 11
16.	97 Fishdayes, 123	Gauelkind, s. Preroga
Eschecon, 97	Flaxe, s. Hempe, 120	tiue, 16.
East March, s. Marches, 1	Flesh, s. Butchers, 7.	Ganging, s. Fish, 12. wine
Etouers, s. Assise, 1.	Flockes, s. Draperie, 60.	16, 17. Corporations,
Estrepiement, s. Waste, 2.	98 Folde course, s. Sheepe,	15.
Estretes, 98	11.	Gigge milles, s. Draperie
Exaction, s. Extortion, 11.	99 Fooles, Lunatike & mad,	69.
Excommunication, 99	men, s. Prerogative, 10.	Guilds, s. Monasteries, 14
Execution, 99	11.	Gobalming, s. Labourers,
Executors, 100	11.	18.
Exemplification, 101	Force, and Forceible en-	Gold, Silver, and Gold,
Erigeur & ouelawp, 101	trie, 124	smiths, 133
Ex parte talis, s. Accompt,	Forests, Chales, Parkes,	Gunnes, and Crosbowes,
2.	Warrens, 124	134.
Exoption, exaction, 105	Forsfaitures, 126	Grand serieanty, s. Prero-
F	Forsfaiture of marriage, s.	gative, 8.
Faires & markets, 105	Wardes, 6.	Graunts, s. Patents,
Falle iudgement, 107	Forging of beedes & wi-	H
Falsifying of Recoveries, 107	tings, 126	Abeas Corpus, s. Re-
s. Recoveries, 5, 8, 9.	Forestallers, Ingrossers,	mourer, 1.
Farmes, 107	Regrators, 127	Halifax, s. Woolles, 5.
Fasting daies, s. Fshdaies	Fortresses, s. Castels.	Hallers & Cables, 46.
Faulcons, s. Hawkes,	Foundations, erections,	Handgunnes and Harque-
Fealties, s. Homage,	fr. s. Mortmaine, 6.	buts, s. Gunnes,
Feffement, s. Force, 3	Fraves, s. Assaultes,	Handicrafts, s. Aliens,
Felles, s. Custome, 1.	Fraternities and guildes,	13. & Labourers,
Marchandise, 4.	s. Monasteries, 14.	Haruest, s. Labourers, 13.
Felonie, 108	Fraunchises and Liber-	Hattes and Capped, 136.
Felants, 111	ties, 128	Hawkes, 137
Fetherbeds, s. Upholster,	Fraudulent beedes, 129	Hauens and Rivers, 138
Fieri facias, s. Executi-	Freechappell, s. Monaste-	Hauerford west, s. Wales
on, 1.	ries, 14, 15.	85.
Fiskenes, 112	Freeholde, 131	Hempe and Flaxe, 138
Fighting and quarreling,	Fresh suit, s. Felonie, 33.	Herons, 138
112.	Frie, s. Fish, 3.	Heram and Herambire,
Fine for alienation,	Fuel, 131	138
Willes, 8, 16.	S. Fullers, s. Draperie,	Highwayes, 139
Fines, 113	Fugitives, 131	Dogges
	Fustians, 133	

The Table.

Hogges. s. Woods. 19.	Inuentorie. s. Probate of	Limitation of prescripti-
23.	testaments.	on.
Homage and fealtie. 141	Joindenancie. 155	Linnen cloth. 194
Honie. 141	Joindenants. &c. s. Partiti-	Listes of cloth. s. Draperie
Hops. s. Husbandrie. 13	on 2.	64.
Hornes and horners. 142	Jointure. s. Dower. 4.	Liverie, and ouster le
Horsehead. s. Inholders. 2.	Iron. 156	maine. 193
Hoxes, Hares. 142	Issues. s. Returnes. 4.	Liveries & retainers. 196
Hospitals. 145	Iuris vtrum. s. Quod per-	Lockeram. s. Linnen
Hostellers, Hostries, See	mittat.	cloth. 1.
Inholders.	Juroys, Juries, and En-	Lunatique. s. Prerogative.
Huy and crie. 145	quests. 156	11.
Hunters and hunting. 147	Justice of Assise. 161	M.
Husbandrie and tillage. 147.	Justice and right. 161	
	Justice of peace. 161	
	Justices of the Forrest. S.	M. Aithem. s. Coroner.
	Forrests. 8.	8.
		Maynpyle and bayle. 198
		Maintenance, Champer-
		tie. 202
		Mayors, Bailiffes, and
		head officers of cities,
		boroughes & Townes.
		s. Corporations.
		Marchants &c. 203
		Marches. 205
		Mariners. 205
		Markets. s. Faires.
		Marshall and Marshallie.
		206.
		Masons. s. Felonie. 22.
		Master and Servant. See
		Labourers.
		Misprision. s. Treason. 8
		Rome. 8.
		Patrimoine. 206
		Peshe. 207
		Monasteries, Colleges,
		Freechappels, Chaun-
		tries. 207
		Money. 216
		Monmouth. s. Wales. 78
		Mortdauncester. 216
		Port.

The Table.

Portmaine.	216	Oren, s. Cattell.	216	Popponing, s. Felonie 32.
Portuaries.	218			Murder 5.
Multipling, s. Felonie.	218	P		Bonds, s. Fish. 7. Riots 17.
		Pannell, s. Jurors.		17. 20. Approuements 7.
Murder and manslaughter.	218	Packer of Wools, See Wools 8.		Boone people. 236
Musters, s. Capitaines.		Parkes, s. Forests.		Prerogative. 242
		Pardon.	227	Preachers &c. 244
N		Parliament.	225	Premunire, s. Felonie. 244.
Nati in partibus trans-		Partition and parteners.	227	Prescription, s. Limita-
marinis, s. Abilitie 1.				tion.
Naue, s. Shippes.		Passages, s. Boates.		Prestes, s. Ecclesiast.
Nets, s. Fish. 4. Hauens 2.		Patens and patentma-		Ymer seisin, s. Preroga-
Newes.	219	kers.	228	tive 3.
Nish prius.	221.	Patents.	228	Principall and accessarie,
Monage, s. Age.		Peace, s. Justice of Peace.		s. Appeales 3.
Non omittas, s. Returne.		Pedlers, s. Vagabonds 1.		Prison, s. Wardes 14.
See 3.		Peine hard and straight, s.		Prison, prisoners. 246
Non residence, s. Ecclesi.		Felonie 36.		Probate of testaments,
alt. 21. 22. 23.		Pelts, s. Lether 32.		248.
Non iuste, s. Damniages.		Pension, s. Ecclesiast. 13.		Procheyne amy, s. Age 3.
See 16.		Peremproy, s. Chalenge		Wardes 8.
Non tenuit.	222	IO. 11.		Proclamation, 249
Northwich, s. Couerlets 5.		Perintie.	230	Procurement, s. Replevin.
Wools. 4. Worsted 8.		Pernoy of profits, s. Fines		4.
Yarne 1.		6.		Prohibition and consulta-
		Person, vicar, s. Ecclesiast.		tion. 250.
		Petitor, Vaille, &c. 231.		Prophecies. 251
Office, Inquisition.		Physicians.	233	Protections. 251
Offices and officers.	223	Pillory, s. Weights 12.		Prouision, s. Premunire.
Dile.	224	Powders, s. Paires 3.		Purgation, s. Cleargie
Dynarie.	224	Piracie.	235	18.
Dyphanes, s. Vaine 10.		Placardes, s. Playes 2.		Puruepours. 252
Women 11.		Playes and games.	235	
Dye, s. Faies 3. Freehold		Plate, s. Gold and Money.		Q
1. Justice of peace 4.		Pledges, s. Statutes 11.		Vare impedit. 257
Queens, s. Paruepours.		Plechartie, See Aduowson		Quarentine, s. dow-
20. Sewers. 4.		9.		er, 1.
Deemeale.	225.	Plaints, s. Abridgement		Queene, Crowne, sui
Duffer to maine, s. Live		of plaints. 12.		preme gouvernement.
11.		Pluralities, s. Ecclesiast.		257.
		18. 19. 20. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.		Quinzime, s. Fifteenes.
				Quod permittat, 264.
				Rape

The Table.

R	R	R	S	S	S
Appell. 264	Rivers, s. Havens.	Silver, s. Gold, 300	Sacraments and service	Sole vessels, 126	Souldiers, s. Captains.
Raishment of wares,	Robberie, s. Felonie, 33.	Soye vessels, 126	divine. 277	Souldiers, s. Captains.	Slaumber, s. Newes, Pro-
s. Wards 4.5.	Roges, s. Vagabonds,	Stalking, s. Hunting 40	Safecondites, 280	Staple, s. Statutes and	hibition.
Rebellion, s. Riots, 16. &c.	Rome &c. 273	Statutes and Recogni-	Saint Johns, s. Monas-	saunces, 298	Spicerie, s. Marchants.
Receipt. 264	Ropes, s. Cables,	saunces, 298	tries 31. Abilitie 3.	Steele. 300	Spiritualle &c. s. Ecclesi-
Receiuors, s. Auditors and	Rumors, s. Newes.	Stewards of Leete. See	Sanctuarie and abiurati-	Leetes, 300	ast. &c.
Accomptants &c. 126	S	Strangers, s. Aliens.	on. 281	Surgeons, s. Wrecke 1.	Stalking, s. Hunting 40
Recognisances, s. statutes,	Sacraments and service	Succession, s. Queene 19.	Scavage, s. Marchants	Swartie, s. Statutes 1.11	Staple, s. Statutes and
Recorde, s. Repleuin 2.	divine. 277	Suffragans, s. Ecclesiast.	Schoolemaster, s. Sacra-	Swannet, 301	Wools.
Recordes, 265	Sacrament 12.	Suggestion, 300	ment 12.	Supremacie, s. Queene.	Statutes and Recogni-
Recoueries, &c. 265	Scotland, s. Come 1. Fe-	Surgeons, s. Wrecke 1.	Scotland, s. Come 1. Fe-	Swartie, s. Statutes 1.11	saunces, 298
Reconciliation, s. Rome. 7.	lonie 1. Horses 14.	Swartie, s. Statutes 1.11	lonie 1. Horses 14.	Suffragans, s. Ecclesiast.	Steele. 300
Recusance, s. Ecclesiast.	Scriueners, s. Aliens, 13.	Suffragans, s. Ecclesiast.	Scriueners, s. Aliens, 13.	20. 22. 2.	Stewards of Leete. See
29.	Second deliuerance. 283	20. 22. 2.	Second deliuerance. 283	Suggestion, 300	Leetes, 300
Redisseisin. 266	Secunda superoneratione	Suggestion, 300	Secunda superoneratione	Supremacie, s. Queene.	Strangers, s. Aliens.
Regtrators, s. Forestallers,	pastura, s. Admeasure-	Supremacie, s. Queene.	pastura, s. Admeasure-	Surgeons, s. Wrecke 1.	Surgeons, s. Wrecke 1.
3.	ment 2.	Surgeons, s. Wrecke 1.	ment 2.	Swartie, s. Statutes 1.11	Succession, s. Queene 19.
Reliefe. 267	Sequestration, s. Ecclesia-	Swartie, s. Statutes 1.11	Sequestration, s. Ecclesia-	Suffragans, s. Ecclesiast.	Swartie, s. Statutes 1.11
Religious houses, s. Mo-	sticall 9.	20. 22. 2.	sticall 9.	20. 22. 2.	20. 22. 2.
naft.	Search, s. Ayde of the	Suffragans, s. Ecclesiast.	Search, s. Ayde of the	Suggestion, 300	Suffragans, s. Ecclesiast.
Religious, s. Abilitie	Queene 3. Trauerse 4.	20. 22. 2.	Queene 3. Trauerse 4.	Supremacie, s. Queene.	20. 22. 2.
3.	Seruant, s. Labourers,	Suffragans, s. Ecclesiast.	Seruant, s. Labourers,	Surgeons, s. Wrecke 1.	20. 22. 2.
Remouing of persons, 01	Service, s. Sacraments.	20. 22. 2.	Service, s. Sacraments.	Swartie, s. Statutes 1.11	20. 22. 2.
recordes. 268	Sessions, s. Labourers.	Suffragans, s. Ecclesiast.	Sessions, s. Labourers.	Suffragans, s. Ecclesiast.	20. 22. 2.
Rents. 267	29.	20. 22. 2.	29.	20. 22. 2.	20. 22. 2.
Repleder, s. Icofaile,	Seuerne, s. Boates 9. 10.	20. 22. 2.	Seuerne, s. Boates 9. 10.	20. 22. 2.	20. 22. 2.
Repleuin. 268	Sewers, 284	20. 22. 2.	Sewers, 284	20. 22. 2.	20. 22. 2.
Residence, s. Ecclesiastical	Sheepe, 288	20. 22. 2.	Sheepe, 288	20. 22. 2.	20. 22. 2.
21, 22.	Ships and shipping. 289	20. 22. 2.	Ships and shipping. 289	20. 22. 2.	20. 22. 2.
Reasonable ayde, s. Ayde,	Shirifes. 290	20. 22. 2.	Shirifes. 290	20. 22. 2.	20. 22. 2.
&c.	Shooting, s. Archerie.	20. 22. 2.	Shooting, s. Archerie.	20. 22. 2.	20. 22. 2.
Restitution, 269	Silke. 296	20. 22. 2.	Silke. 296	20. 22. 2.	20. 22. 2.
Retainors, s. Liueries,		20. 22. 2.		20. 22. 2.	20. 22. 2.
Returne of Sherifes. 269		20. 22. 2.		20. 22. 2.	20. 22. 2.
Returne of Cattell, s. Re-		20. 22. 2.		20. 22. 2.	20. 22. 2.
pleuin.		20. 22. 2.		20. 22. 2.	20. 22. 2.
Richmond, s. Probate of		20. 22. 2.		20. 22. 2.	20. 22. 2.
testaments 14.		20. 22. 2.		20. 22. 2.	20. 22. 2.
Right, s. Iustice and right,		20. 22. 2.		20. 22. 2.	20. 22. 2.
Riots, Routes, unlawfull		20. 22. 2.		20. 22. 2.	20. 22. 2.
assemblies. 270		20. 22. 2.		20. 22. 2.	20. 22. 2.

T	T	T	T	T	T
Tales de circumstan-	Tale. 301	Tallowe, s. Lether.	Tame beastes. 302	Tanners, s. Lether.	Tares, s. Fifteenes.
tibus, s. Iurors, 21. 22.	Tale. 301	Tallowe, s. Lether.	Tame beastes. 302	Tanners, s. Lether.	Tares, s. Fifteenes.
23. 24.	Tale. 301	Tallowe, s. Lether.	Tame beastes. 302	Tanners, s. Lether.	Tares, s. Fifteenes.
Tale. 301	Tale. 301	Tallowe, s. Lether.	Tame beastes. 302	Tanners, s. Lether.	Tares, s. Fifteenes.
Tallowe, s. Lether.	Tale. 301	Tallowe, s. Lether.	Tame beastes. 302	Tanners, s. Lether.	Tares, s. Fifteenes.
Tame beastes. 302	Tale. 301	Tallowe, s. Lether.	Tame beastes. 302	Tanners, s. Lether.	Tares, s. Fifteenes.
Tanners, s. Lether.	Tale. 301	Tallowe, s. Lether.	Tame beastes. 302	Tanners, s. Lether.	Tares, s. Fifteenes.
Tares, s. Fifteenes.	Tale. 301	Tallowe, s. Lether.	Tame beastes. 302	Tanners, s. Lether.	Tares, s. Fifteenes.
Teller of newes, s. Newes.	Tale. 301	Tallowe, s. Lether.	Tame beastes. 302	Tanners, s. Lether.	Tares, s. Fifteenes.
Tenthes. 302	Tale. 301	Tallowe, s. Lether.	Tame beastes. 302	Tanners, s. Lether.	Tares, s. Fifteenes.
Tenure	Tale. 301	Tallowe, s. Lether.	Tame beastes. 302	Tanners, s. Lether.	Tares, s. Fifteenes.

The Table.

Cemire. 303	Verdict. See Forrefters.	Warrant of Atturney. See Atturney. 12. 13.
Testaments. S. Willes.	Jurors. 32.	Waste. 346
Testimoniall. S. Laborers.	Vessels. See Coopers.	Watch and ward. 347
7. Vagabonds & poore people.	Vicars. S. Ecclesiast.	Watennmen. S. Boates, Mariners.
Thunmes. S. Yarne.	Wewe. 320	Waxe. 347
Tillage. S. Husbandrie.	Wiew of frankpledge. See Lectre.	Weights and Measures. 348
Tiles. 304	Willenage &c. 320	Weinlings. S. Butchers
Tinkers. S. Vagabonds.	Wistation. S. Hospitalles.	Wearers. 350
Tinne. S. Brasse, Pewter.	Ordinary. 3.	Wearers. S. Draperie. 75.
Tithes &c. 304	Witales. and Witallers.	76. 77. 78. 79.
Toll. 308	320.	White ashes. 351
Tonnage and pondage. S. Union of Churches.	S. Ecclesiastical. 31. 32. 33.	Widowes. See Women.
Customers.	Universities. 322	Widowes. 351
Townes. 309	Upholsters. 322	Willes &c. 352
Transportation. 311	Uses. 322	Wines. S. Women.
Traverse. 312	Usury. 322	Wines. 355
Treason. 312	Usurpation. S. Aduowson.	Witnes. 358
Treasure trove. S. Coroners. 6.	1. 6.	Woods. 358
Trial. 313	Ulawie. S. Exigent.	Woolles. 362
Tuckers. See Draperie.	W	Women. 363
74. 75.	Wages. S. Iustice of peace. 66.	Worsted. 366
Turbarie. See Affise 1.	Wager of law. 323	Wrecke of Sea. 367
Turne of Sherifes. 317.	Wales. 324	Y
V	Wardes &c. 341	Yarne and Thunmes. 367.
Vagabonds. 317	Warrantie. 346	
Valore Maritagij. S.	Wares. S. Marchants. 3.	
Wardes. 7.		

FINIS.



NNO. 25. Ed. 3. It was agreed in Parliament, that the Lawe of the Crowne of Englande, is and alway hath bene such, that the children of the Kings of England in whatsoever parties they be borne, in England, or els where, be able, and ought to haue the inheritance after the death of their auncellours: the which Lawe was confirmed by the sayd King Ed. 3. the Lordes and Commons there assembled, to remaine for ever. And in

the right of other children borne out of the leageance of England, in the time of the sayde King Ed. 3. it was there agreed, that Henrie sonne of Iohn of Beamond, Elizabeth the daughter of Guy of Brian, and Iohn the sonne of Raulfe Daubney, and others which the sayd King Ed. 3. would name (the which were borne beyond the sea, without the leageance of England) should be from thenceforth enabled, to haue and enioy their inheritance after the death of their auncellours in all partes within the leageance of England, as well as those which should be borne within the same leageance.

2 And it was then further enacted, that all children inheritable which should be borne without the Kings leageance, which childrens father and mother at the time of their birth, shalbe vnder the faith and leageance of the King of England, shall enioy the same benefites, to haue and take inheritance within the same leageance, as other the foresayd inheritours, so that the mothers of such infants doe passe ouer the sea, by the license and good willes of their husbands. And if it be alledged against any such borne beyond the sea, that hee is a bastarde, in case where the Bpshopp ought to take cognisance of Bastardie, the Bpshopp of the place where the land demanded is, shalbe commaunded to certifie the Kings Court where the plea dependeth, as in auncient time it hath bene used in case where Bastardy is alledged against them, which be borne in England. 25. Ed. 3. Stat. 2. de natis vltra mare.

3 By the statute made. 31. H. 8. 6. All religious persons professed, as well men as women which were or after should be set at libertie, by suppression, dissolution, &c. of their Monasteries, Abbeyes, Priories, &c. (or which were translated from one corporation to another. 33. H. 8. 29. and the Prior, Brethren or Convent of the Hospitall of Saint Iohns of Hierusalem in England and Ireland. 32. H. 8. 24.) from and after the time that they were set at libertie, were enabled to purchase to them and their heires in fee simple, fee tail, for terme of life, peeres, or at will, any Manors, lands, tene-ments, rences, annuities and other hereditaments and things whatsoever. And also to sue, and to be sued in all actions, plaints, and suites whatsoever, for any matter or cause growen, after the time of their severall vnder-ment, or departing out of their religion, in all Courts and places within the Realme, and to receiue, take, & enioy every lawfull thing to them growen or happenen, after their departing out of their religion, in as ample maner,

Kings childre
borne beyond
sea, inheritable
in England.

Children inher-
itable where
their mothers
passe the sea,
by license of
their husbands

Trial of Bas-
tardie pleaded
against him
which is borne
beyond the sea.

Religious per-
sons enabled
to inherit, vnder
chafe, sue and
be sued.

Abridgement of plaints. Accions popular.

as if they had neuer entred into religion. But by the sayd statute of 31. H. 8. and the statute of 5. Ed. 6. 13. it was prouided that none of the sayd religious persons should bee taken and iudged as heire or inheritable to any person, by reason of any former right, title, interest or cause, had, made, descended or growen, before their severall deraignement or departing out of religion.

31 That the examination of the abilitie of a person presented to a benefice doeth pertain to an Ecclesiasticall Iudge. See Ecclesiasticall. 4.

Abridgement of plaints.

The plaintife in assise, may abridge his plaint.

The plaintife in euery assise, may at his pleasure seuer and abridge his plaint, of any part or partes, whereunto any barre is pleaded, in such like maner as hee might doe in case that pleas in barre had bene made, and deuided to any certaintie or number of acres in the plaint. And the plaint for the residue of the part or partes of the landes not abridged, shall be and stand good in the Lawe. 21. H. 8. 3.

Accions popular, Informations.

Accions popular sued by collusion.

If an accion popular be sued against any man by collusion, and the plaintife in the same doe recouer against the defendane, or be barred, any other person may afterwards sue against the same defendane another accion popular with good faith, and shall in the same recouer and haue execution, if the recouerie or barre in the first accion be found to be by couin. And the defendane being attainted of couin, shall haue two peeres imprisonment, by proces of Capias and Vclarie, to be sued within the peere after iudgement giuen, or at any time after, untill the defendane be had and imprisoned, and that as well at the Queenes suite, as at euery other persons that will sue in that behalf. And no release of any common person, made to any partie before, or after any accion popular or subdictment hanging, shall be auaylable to let or surcease the sayd accion, indictment, proces, or execution. Prouided alwayes, that no plaintife or plaintifes be in any wise recused to auerre any couin in any accion popular, where the point of the same accion, or els collusion haue bene once tried, or lawfully found, with, or against the plaintife by trial of iurymen, and not otherwise. 4. H. 7. 20.

Within what time accions popular shall be sued.

2 **A**ll accions, suites, billes, indictments, or informations which shall be had brought sued, or exhibited, for any forfeiture vpon any Statute penall, made or to be made, whereby the forfeiture is or shalbe limited to the Queene, her heires or successors only, shalbe had, brought, sued or exhibited, within two peeres next after the offence committed or to bee committed against such act penall and not after two peeres. And all accions suites, billes, or informations which shalbe had, brought, sued or commenced for any forfeiture

seizure upon any penall statute made, or to be made (except the statutes of tillage) the benefite and suite whereof is or shalbe by the sayd statute limited to the Queene her heyres or successors, and to any other which shall prosecute in that behalfe, shall be had, brought, sued, or commenced by any person that may lawfully pursue for the same within one yeere next after the offence committed, or to be committed, against the said statute, and in default of such pursuite, then the same shall be had, sued, exhibited, or brought for the Queene, her heyres or successors, at any time within two yeeres after that yeere ended. And if any action, suite, bill, Indictment, or information for any offence against any penall statute made or to be made (except the statute of Tillage) shall be brought after the time in that behalfe before limited, then the same shall be voyde and of no effect, Any Acte or statute made to the contrary notwithstanding. But where any action, Information, Indictment or other suite, is or shall be limited by any statute penall, to be had, sued, commenced or brought within shorter time then is afore rehearsed: in every such case, the action, Information, Indictment, or other suite shall be brought within the time limited by such statute. 3. 1. Eliz. 5. See Husbandrie. 16. 19.

3. ¶ Every Informer upon any penall statute, shall exhibite his suite in proper person, and pursue the same onely by himselfe or by his Attorney in Court. None shall be admitted or received to pursue against any person upon any penall statute, but by way of Information, or originall action, and not otherwise, nor shall haue ne use any deputie at all. And upon every such Information, which shall be exhibited, a speciall note shall be made of the very day, moneth and yeere of the exhibiting thereof into any office, or to any officer, which lawfully may receive the same, without any manner of Antedate thereof to be made. And the same Information shall be accompted to be of record, from that time forward and not before. No proces shalbe sued out upon any such Information, until the Information be exhibited in forme afore sayd. And upon every such proces shall be indorsed aswell the parties name that pursueth the same proces, as also the statute upon which the information in that behalfe made, is grounded. And every clerke making out proces contrary to the tenor and provision of this Act, shall forfeit for every such offence xl. s. to the Queene and the partie against whom any such defectiue proces shall be awarded, to be recovered in any Court of record by Action, Information, &c. wherein no Wager, Ellopie, P. or Injunction. &c. 18. Cl. 5. 27. Cl. 10.

4. ¶ No such Informer or plaintife shal compound or agree with any person that shall offend, or shall be surmised to offend against any penall statute for such offence committed, or pretended to be committed, but after answer made in Court unto the Information, or suite in that behalfe exhibited or prosecuted, nor after answer, but by the order or consent of the Court, in which the same information or suite shall be depending, upon paines

Information exhibited in proper person

Information, originall action, No Deputies.

A note of the day, moneth and yeere.

Indorsement of the information.

No Informer shall compound with the defendant but by consent of the Court.

W. it,

and

Accions popular.

and penalties hereafter declared. And if any such Informer or plaintiffe shall willingly delay his suite, or shall discontinue, or bee nonsuite in the same, or shall haue the triall or matter passe against him therein, by verdict or iudgement of Law: Then the sayde Informer or plaintiffe shall pay vnto the defendant his costes, charges and dammages, to be assigned by the Court, in which the same suite shall be attempted. For the recouerie and execution whereof, euery such defendant shall immediately vpon the same costes, dammages, &c. assigned, haue his Capias ad satisfaciendum, Fieri facias, or Elegit, to be awarded vnto him out of the same Court, in which the same shall be so assigned, as in other cases of Execution. 18.El.5. 27.El.10.

Costes & damages, if the informer delay, discontinue, be nonsuit or haue the matter passe against him.

5 ¶ If any person or persons (except the Clerkes of the Court only, for making out of proces otherwise then is aboue appointed) shall offend in suing out of proces, making of composition, or other misdemeanour, contrary to the true meaning of this statute, or shall by colour or pretence of proces, or without proces, vpon colour or pretence of any matter of offence against any penall Law, make any composition, or take any money, reward, or promise of reward, for himselfe, or to the vse of any other, without order or consent of some of the Queenes Courts at Westminster, then he or they so offending, being thereof lawfully conuicted, shall stand on the Pillorie in some market towne next adioyning, where the same offence shalbe committed, in the open market time, and there remaine by the space of two houres: And shall after such conuiction for euer be disabled to pursue, or be plaintiffe, or informer in any suite, or information vpon any statute popular or penall: And shall also for euery such offence, forsaite x.li. to the Queene and the partie grieved, to be recovered by A. J. &c. wherein no W. &c. C. P. or Injunction, &c. 18.El.5. 27.El.10.

Statutes against maintenance, Champertie, Imbacerie.

6 ¶ But it shall be lawfull for euery person grieved by meanes of any maintenance, champertie, buying of titles or imbacerie, to pursue vpon any statutes provided against maintenance, &c. as he might haue done before the making of this act. 18.El.5. 27.El.10.

Penalties given to persons certaine.

7 ¶ This act shall not extend to any suit depending before the eight day of Februarie, 1575. nor shall restraine any certaine person, body politique or corporatt, to whom, or to whose vse any forfaiture, penaltie or suite, is or shall be specially limited or graunted by any statute; and not generally to any person that will sue, but euery such person &c. may in such case sue, informe &c. as hee might haue done, if this Act were neuer made. 18.El.5. 27.El.10.

Informers restrained by order of Court not to informe

8 ¶ No person other then the partie grieved; after xx. dayes after the ende of this Session of Parliament, shall be recetued to informe or sue vpon any penall statute that before that time hath bene for any misdemeanour by any order of any the Queenes Courts ordered mosto follow or pursue any suit vpon any penall statute. 31.El.5.

9. ¶ In any declaration or information to be had, brought, sued, or exhibited, the offence against any penall statute, shall not be laid to be done in any other Countie, but where the contract or other matter alleadged to be the offence was in truth done. And every defendant in such action or information shall and lawfully may traverse and alleadge, that the offence supposed by the same suite to be committed, was not committed in the Countie where such offence is alleadged: which being tried for the defendant, or if the plaintife be thereupon nonsuite in his information or suite, then the plaintife shall be barred in that action or information, any lawe or vse to the contrary notwithstanding. 31. Eli. 5.

The Countie expressed where the offence was done.

10. ¶ This Act shall not extend to the laying or alleadging of any offence in any declaration or information for or concerning any Champertie, buying of titles, or extortion, or any offence committed or to be committed against the statute made Anno 1. Eli. intituled, An Act limiting the times for laying on land marchandize from beyond the Seas, and touching customs of sweete wines. And one other Act made in the said Anno 1. Eli. intituled, An Act of a Subsidie of Tonnage & poundage, or any thing in any of them contained, or for the concealing or defrauding the Queenes Maestie her heires or successors, of any custome, tonnage, poundage, subsidie, impost, or prisage, or for any matter of corrupte Usurie, or for any offence comprised in any statute made, or to be made, against ingrossing, regrating, or forestalling where the penaltie or forfeiture shall appeare to be to the value of x. li. or above. But every such offence shall or may be layed in any Countie at the pleasure of any such Informer: Any thing in this Act, &c. notwithstanding. 31. Eli. 5.

Certain offences wherein information may be in any Countie

11. ¶ All suites to be pursued upon any statute forbidding any unlawful game, or for not using any lawful game, or for not having bowes & arrowes according to the lawe, or for using any arte or myserie in the which the partie hath not bene brought up, according to the statute in that behalfe made, shall be sued and prosecuted in the general Quarter Sessions of the peace, or Assises of the same Countie where the offence shall be committed, or otherwise enquired of heard and determined in the Assises, or general Quarter Sessions of the peace of the same Countie, where such offence shall be committed, or in the Leete within which it shall happen, and not in any wise out of the same Countie, where such offence shall happen to be committed. 31. Eli. 5.

Certain offences which are punishable at the Quarter Sessions, or general Assises of the Countie where they be committed.

12. ¶ The fore sayd Acts (of 18. Eli. 5. 27. Eli. 5. 31. Eli. 5.) shall not extend to any such officer of Record, as have in respect of their offices heretofore lawfully used to exhibit Informations, or sue upon penall Lawes. But they and every of them may informe & pursue in that behalfe as they might have done, &c. Any thing in these Acts, &c. notwithstanding. 18. Eli. 5. 27. Eli. 5. 31. Eli. 5.

Officers being to exhibit Informations.

13. ¶ That certain forfeitures due to the Queen upon some penall statutes shall be employed upon the provision of stockes of money for the poore, and houses of Correction. See poore people: 27.

Accomptants or debtors to the Queene.

- 2 That the defendant shalbe admitted to haue a Tales de circumstan-
tibus in Accions popular. See Iurors 16.
3 That the Iurie in suites vpon penall Lawes, shall not be compelled
to appeare at Westminster. See Iurors 31.
4 That certaine Iustices haue authoritie to heare and determine of-
fences committed by Informers. See Iustices of peace. 57.

Accomptants and debtors to the Queene.

The fourtine
and effect of
obligations
made to the
Queene.

An obligation
made to h. m.
is in the na-
ture of a sta-
cute staple.

Who shall
paye the
debt after her
deceasse.

The Queene
shall recouer
costes and da-
mages.

Debts due to
the Queene by
attainder, for
satture, gift. &c.

And the same
shall be due to
the Queene.

All obligations and specialties which shalbe made for any cause in any
wise concerning the Queenes Person or her heyres, or to her, or their
use, commoditie or behoofe, shall be made to her and to her heyres, Kings or
Queenes in her or their name, by these wordes, *Dominæ Regiæ*, and to
none other person to her use, and to be payed to her highnesse by these wordes,
Soluendum eidem dominæ Regiæ, hæredibus vel executoribus suis, with
other wordes vled in common obligations. And if any person make or take
any obligation to the Queenes use in any other maner, hee shall suffer such
imprisonment, as shalbe adiudged by the Queenes Counsell. And all such
obligations and especialties so to be made, shalbe effectuell in the Law, to all
purposes, and shalbe in the same nature, and effect to all intents, as the wri-
ting obligatorie taken and knowledged, according to the statute of the Sta-
ple at Westminster, haue at any time bene taken and executed against any
lay person. 33. H. 8. 39.

2 All such obligations and especialties, the debt whereof being not
not payd nor contented in the life of the King or Queene, shall remaine and
be to the heyres or executors of the King or Queene, at the free libertie and
appointment of the same King or Queene, or to whom the same shall be
made. 33. H. 8. 39.

3 The Queene in all suites to be taken vpon any specialtie made to
her grace, or to any to her use, shall recouer her iust costes and damages as
other common persons vse to doe, in suites for their debts. 33. H. 8. 39.

4 In all actions, and suites to be taken, or pursued in any of the courts
of the Eschequer, Duchy of Lancaster, or wardes and Liveries for the re-
couerie of any debt, which shall appertaine, accrue, or be to the Queene, by
reason of any attainder, outlawrie, forfaiture, gift of the partie, or by any o-
ther collateral meanes: It is sufficient to alledge in the sayde suit gene-
rally, that the partie to whom the sayd debt was due or did belong, such peere
and day did giue the same debt to the Queene, or was attainted, outlawed, or
other offence, forfaiture, or thing committed, by reason whereof the sayd debt
did accrue, and ought to remaine and come to the Queene, and the same mat-
ter so alledged in generalitie without shewing the circumstance thereof, shall
haue as good effect in the lawe to all intents, as if the whole matter were al-
ledged in euery point. 33. H. 8. 39.

5 ¶ If any suit be commenced, or any process be awarded for the Queene, for the recouerie of any her debtes, the same shall be preferred before the suite of any other person, and the Queene, her heires and successors, shall haue first execution against any defendant for her sayd debtes before any other person, so alwayes that her suit be commenced or proccesse awarded for the sayd debte at the suit of the Queene, &c. before iudgement giuen for the sayd other person. B. 8. 33.

The Queenes suites shall be preferred.

6 ¶ All Banors, lands, &c. and hereditaments the which shall come or be in or to the hands or seisin of any person to whom the same shall descend, reuert or remaine in fee simple or in fee taile, generall or speciall, by, from, or after the death of any of his auncesters as heire, or by the gift of any his auncesters, whose heire he is, which said auncester shall be indebted to the Queene, or to any other person to her vse, by Iudgement, Recognisance, obligation or other specialtie, the debt whereof shall not be contented and payd, then in euery such case the same Banors, lands, &c. shall be and stand charged to and for the payment of the same debt, and of euery part thereof. And our said Soueraigne Lady, her heires and successors, shall not be barred or delayed to demand haue and receiue her lawfull debtes and duties against any of her subiects as heire or heires to any person indebted to her highnesse or to other persons to her vse, albeit this word (Heire) be not comprised in such recognisance, obligation, or specialtie: or that any such person shall alledge that he hath not any Banors, lands, or hereditaments to him descended, but onely such as be entailed or giuen to him by any his auncesters, to whom he is heire. But the Queene, her heires and successors may at her gr. libertie and pleasure, demand and recouer her sayd debte against any executour or executours, administratour or administratours, if any such person is needed, if hee or they shall haue assets in his or their hands to deede or in lawe. 33. B. 8. 39.

Lands entailed, chargeable to the payment of the Queenes debtes.

Specialties made to the Queene without this word (Heire)

7 ¶ But if the sayd Banors, lands and hereditaments, or any of them, shall be recouered from the possession of any such person, by any iust or former title, without fraude or couin, which be chargeable as is aforesaid, then they shall be clearly discharged of the payment of the said debtes and of euery part thereof. 33. B. 8. 39.

Lands recouered by former title.

8 ¶ If any person of whom any such debte or dutie shall be demanded, doe shewe in any of the sayd Courtes, sufficient matter in lawe, reason or good conscience, in discharge of the sayd debte, or why such person ought not to be charged with the same, and the same matter so shewed be sufficiently prooued in such one of the sayd Courtes as her shall be impleaded or troubled for the same, then the sayd Courtes haue full power to allowe the same prooff, and clerely to discharge euery person that shall be so impleaded. 33. B. 8. 39.

Upon sufficient matter prooued in court may discharge the supposed debtor.

9 ¶ If any lands &c. which shall be charged to or with the debte of our said Soueraigne Lady her heires or successors, shall be in the seisin of diuers

When the Queenes debtes to lands come into several mens,

Accomptants and debtors to the Queene.

persons, other then the obligor or obligors, then all the sayde lands, &c. and every parcel of them, shalbe wholy, and in no wise severally chargeable with the payment of the said debt and duetie. 33. H. 8. 39.

Officers bound
with surety for
their true ac-
count & pay-
ment.

Officers bound
with surety for
their true ac-
count & pay-
ment.

10 Every person named or appointed to be Treasurer, or generall or particular Receiver, Collector, or Bailiffe, or minister accomptant to the Queene, shal before his entrie, executing, using, or exercising of his office, whereunto he shalbe so nominated or appointed, together with suretie or sureties, acknowledge, and make sufficient and lawfull bond or bonds to the Queene, in such Court of recorde, where the same officer shalbe accomptable and chargeable, that he, his heires, executors, administrators, assignes or deputies, shall truly accompt, and pay all such summes of money as shall come to his hands, or shal, may, or reasonably might be charged with, concerning his office to the Queenes use, within the circuit of his receipt and collection, at such or like dayes and times, and in such maner as is hereafter expressed to be contained in the conditions of every of the sayde bonds, upon paine of forfeiture of his office and of his letters patents of the same office, 7. Ed. 6. 1. Sec 15, 16, 17, 18.

Receivers pre-
cepts to the
accomptants.

Receivers pre-
cepts to the
accomptants.

The halfe
pence rent
due to the
Queene at
Easter.

The halfe
pence rent
due to the
Queene at
Easter.

11 Every Receiver of the Queenes lands, rentes, and revenues, or his deputie, shal perrely make his severall precepts to al & singular the Collectors, ministers, and Bailiffes accomptant within the circuit of his office, commanding them on the Queenes behalfe by the same precept to appeare before him personally, or by their sufficient deputie or deputies, for whom they will answer, within the Countie where the same offices, Bailiwicks, &c. or collections doe lie, at a certaine day and place in the same precept to be limited, and to pay to the Queenes use such summes of money as they ought to doe, by reason of any their sayde offices being due to the Queene, at or before the feast of Easter, which they have or may by any lawfull meanes receive, within or by reason of their sayde offices, and the same precepts shall be severally delivered to every of the said officers accomptant, or to their deputies, or els be left at their dwelling houses, or at the house or place where their receipt is, or ought to be, twelve dayes at the least before the day of appearance to them given in the same precept. And if any of the sayde ministers, Collectours or Bailiffes accomptant, after any such preceptes made by any such Receiver, and delivered or left in fourne aforesaide, doe make default at the same day and place assigned by the same precept, and being thereof lawfully convicted in the Court where the revenue shall be answered, hee shall for the first offence forfeite to the Queene his whole fee for that peere, wherein hee shall so make default, or the value thereof, and for non payment of the sayde money due and payable at or before the said feast of Easter unto the Queene, within or by reason of his abovesaid office, collection or Bailiwicke, shall forfeite for the first offence of non payment of. v. of the pound in the name of a paine, for every moneth after the sayde day of appearance, untill the same money shall

The forfeiture
where the ac-
comptant has
made default.

The forfeiture
where the ac-
comptant has
made default.

Accomptants and debtors to the Queene 5

Shall be by him or his deputie paid to the handes of the said receiuer, to the Queenes vse. And after the first default of apparance made by any of the said officers, and another like precept by the said receiuer be made and deliuered or left in forme aforesaid, then the said officer making againe default, and being thereof lawfully conuicted as is aforesaid, for the second default of non apparance, shall forfeite to the Queene his office and fee. And for the saide second offence, in the non paiement of the saide money due and payable by reason of his office, at or before the said feast of Easter, shall forfeite xii. s. of every pound, in the name of a paine, for every moneth after the saide last day of apparance, and default made as is aforesaid, untill the same money shalbe by him or his deputie, paid to the handes of the said receiuer to the vse of the Queene. 7. Ed. 6. 1.

Second default.

Every Auditor of the Queenes, of her landes, possessions, rents, and reuenues, for the time being, or his sufficient deputie, shall haue full power petyerly to make his precepts to all Ministers, Collectors and Bailiffes accomptants, commanding them in the behalfe of our said soueraigne Lady, to appeare and accompt before him personally, or els by their sufficient deputie or deputies, at a place certayne, within the Countie where the same landes and possessions do lie, at the Queenes Audite to be holden there petyerly, betweene the feast of S. Michael the Archangel, and the Martinie of our Lord God, of and for all rents, reuenues, and profits, due and payable within, or by reason of their saide offices &c. at or before the feast of S. Michael the Archangel next before the same Audite, expressing in the same precepts, the time and place, when and where the same Ministers Collectors and Bailiffes accomptable, or their sufficient deputies, for whom they will answer shal appeare, the same precepts to be deliuered to the same ministers &c. accomptable, or their deputies, or left at their dwelling houses, or at the manour or place where their collections are or ought to be, twelue dayes at the least, before the day of apparance to them prescribed in the same precepts. And if any Minister &c. accomptant doe not appeare before the said Auditor or his deputie at the said Audite, according to the said precept, or els if he doe appeare and refuse to accompt for his said receipt &c. before the said Auditor &c. and being thereof lawfully conuicted to the court where the reuenue shall be answerable, he shall for his first offence forfeite to the Queene his whole fee for that yeere, wherein he shall so make default, of the value thereof. And for the non paiement of the said money due and payable within his collection &c. at or before the said feast of Saint Michael the Archangel, shall forfeite to the Queene for his first offence five pence of every pound, in the name of a paine, for every moneth after the said day of apparance and default made, as is aforesaid, untill he or his sufficient deputie shall accompt before the said Auditor or his deputie for his said collection &c. And also pay vnto the handes of the said receiuer every such summe of money, as shall be fully found due by the said accomptant before the said Auditor &c.

Auditors precepts to the accomptants.

The halfe pence rent due to the Queene at Michaelmas.

Twelue daies warning. If the accomptant make default.

Accomptants and debtors to the Queene,

to the Queenes Maiestie, vpon the foote and determination of his accompt. And after the first default of apparance made before the said Auditour &c. by any of the said Officers accomptant being so warned as is aforesaid, and after another like Precept made and deliuered or left in fourme aforesaid, then the said Officer that so shall make againe default of apparance, for the said second offence in making default of his apparance as is aforesaid, and being thereof duely convicted in the Court where the reuenuue of his said Office shall be answerable, shall forfeite to the Queene his office and fee. And for the second offence in the non payment of the said money due and payable by reason of his receipt &c. at or before the said feast of S. Michael, shall forfeite to the Queene xii.d. of euery pound in the name of a paine, for euery Moneth after the said last day of apparance and default made, as is aforesaid, vntill he or his sufficient deputie, shall accompt before the said Auditour or his deputie, for the said receipt, collection, or bailiwick, and also pay vnto the handes of the said Receiuer or his deputie to the Queenes vse, all such summes of money, as shall be iustly found due by the said Accomptant, vpon the foote and determination of his said accompt. 7. Ed. 6. 1.

Second default,

Officers accomptants concealing duties.

The Queenes Bailiues may distraine for arrearages.

Within what time the Receiuers shall make payment

13. ¶ See the said statute of 33. Hen. 8. 39. if any Bailife, Recue or other Officer accomptant of the Queenes, vpon the declaration of his accompt, doth wilfully conceale and withdraw any rent, reuenuue fine, harriot, or other casuallie whatsoever it be, of the which he ought to haue made accompt, and that duely proued before the head Officer of the Court where &c. he shall lose his office and fee, and thre times so much as he hath concealed.

14. ¶ Euery Receiuer Collectour and Bailife of any of the Queenes landes, rentes, or reuenuues, for lacke of payment and leuying of their said rentes, issues, and reuenuues within their offices, haue power to distraine for the same, and to order the same distresses in such sort, as any officer of the Ch. chequer, for leuying of the Queenes reuenuues, answerable in the same Court, heretofore haue done, and may lawfully doe, deliuering to the partie distrained the surplusage of the value of euery such distresse (if any shall be) the Queenes duties being first paid, and the distrainant answered of reasonable costes. 7. Ed. 6. 1.

15. ¶ Euery Receiuer of the Queenes landes, rentes, reuenuues &c. shall make ready and full payment perrely to the Treasurer, or generall Receiuer of the Court, where the said reuenuues shall be answerable, or otherwise as he shall be appointed by sufficient warrant, of all such summes of money as he shall knowe to be due to the Queene, and can by any lawfull meane get or receiue of the rentes or reuenuues of our said loueraigne Lady, within or by reason of his Office, being due at or before the feast of Easter, by the twentieth day of June then next folowing at the furthest. And also shall make like payment perrely of all his like receipts of the rentes &c. that shall be due at or before the feast of S. Michael the Archangel by the twentieth day of January then next folowing at the furthest, vpon paine of forfeiture for euery default

faile at any of the said dayes, two pence of every pound for every day that the said money so by him shalbe unpaid. 7. Ed. 6. 1.

16 ¶ Every of the said Receivers, or their deputies for whom they will answers, shall enter into their accompt peerely in the terme of S. Pillarie, and fully finish the same before the tenth day of March then next following, and make full and ready payment of the money that shall appeare to be due upon the foote of the same accompt, before the twentieth day of the said moneth of March, upon paine of forfaiture to the Queene their offices and fees, and foure pence of the pound for every day that they shall withhold the said money. 7. Ed. 6. 1.

When the Receivers shall accompt.

17 ¶ All Treasurers, Chamberlaines, and generall Receivers of any of the Queenes Courtes of reuenuue for the time being, & all Customers and Collectors of customes, or certayne & called Subsidies within any port, haven, or creeke of the Realme of England, which now be or hereafter shalbe, within ten daies next after notice to him or them given from the Q. or hire of her priuie Counsel, in writing signed with their hands, shall by themselves, or their sufficient deputies for whom they will answer, declare in writing, what summes of money then being due vnto our said soueraigne Lady, be at that time in his or their hands, and shall make ready and full payment of all the said summes, as then shall remaine in his or their hands (ouer and aboue the ordinarie payments and summes of money contained in sufficient warrants remaining in their offices, and being in their full force, and not lawfully countermaunded, nor reuoked to their knowledge,) to the vse of the Q. at such time and in such sort as they shall be commaunded by sufficient warrant, upon paine of forfaiture of his or their office or offices. 7. Ed. 6. 1.

These accomprants shall declare what money they haue, & make ready payme.

18 ¶ The same Treasurers, Chamberlaines, and generall Receivers, by themselves, or their deputies for whom they wil answer, shall peerely before the xx. day of June make a perfect accompt of all such money of treasure, as hath come to their hands to the Queenes vse, peerely at or before the xx. day of March, then next before the said xx. day of June, and shall make a perfect declaration in writing of the money remaining in euery of their handes, to the Queene, or to her priuie Counsel, peerely before the last day of June then next following, and make payment of the same at such time, and in such sort, as they shalbe commaunded by sufficient warrant, upon paine of forfaiture of their offices. 7. Ed. 6. 1.

Within what time these accomprants shall make their accomptes peerely.

19 ¶ If any Auditor or his deputie, which ought to take & accompt of any Treasurer, Chamberlaine, Receiver, or other officer acceptable before him, doe refuse or willingly delay the taking of & same accompt in such wise as it may be finished within the time appointed by this act, then he being thereof lawfully conducted in the Court where the returne or charge of & same accompt shalbe answerable to the Queene, shall lose such like forfaiture as the Treasurer, Chamberlaine, Receiver, or other officer abovesaid ought to do by this act, for not accompting of and for their charges & office or offices.

If the Auditor refuse or delay to take the accompt.

Accomptants and debtors to the Queene

And hereby the same Treasourer, Chamberlaine, Receiver, and other officer that should accompt, and shall be refused or delayed, shall be discharged of any paine, losse or forfeiture for nre accompting. 7. Ed. 6. 1.

The copie of
accompt deli-
uered to the
accomptant.

20. ¶ The duplicat or copte of every accompt that shall be made by any Treasourer or Receiver, or by their deputies in forme aforesaid within convenient time after the finishing of the same, and at the reasonable request, and costes of such accomptant, shall be deliuered vnto them subscribed with the hand of the Auditor that shall take the same accompt, or of his deputie &c. upon paine that the same Auditor shall forfeite to the Queene for every such default tenne pound. 7. Ed. 6. 1.

Bishops for
tithes.

21. ¶ But this acte shall not charge any Archbishops, or Bishops, to make any bondes, or to make their accompt and payment of the tenthes arising within any of their Diocess due to the Queene, in any other maner then they haue bene charged or accomptable and chargeable by the lawes and statutes of this Realme. 7. Ed. 6. 1.

Sherife.
Erchetor.
Collectour.

22. ¶ Neither shall this acte extend to touch, or charge any Sherife, Excheator, or Collectour of any Dismes, Quindismes, beneuolences, contributions or Subsidies, (subsidies of Tonnage and Poundage onely except) but that euery of them may exercise their said severall offices, and pay such summes of money, as any of them shalbe charged withall by their said severall offices, in like sort as euery of them haue vsually done, or ought to doe if this acte had neuer bene made. 7. Ed. 6. 1.

Collectour of
Fifteenes,
Subsidies and
other taxes.

23. ¶ Euery high Collectour of any Fiftene, Subsidie, or other taxe or lone, shal within thre moneths next after such times as the same shalbe due, and payable to the Queene, her heires or successors by any statute, ordinance, or other meane, and by the same Collectour receiued, truly pay the same to the Queenes vse, at such place, and to such person as shall be named for the same, upon paine to forfeite to the Queene, her heires, and successors, for euery pound so being receiued, and after that retained, kept, or laide out for gaue, and not paid within thre moneths to the Queenes vse, as is aforesaid, foure shillings for euery moneth that the same money shalbe retained, kept, or laide out for gaue, and also shall lose his office concerning the same, and all profits thereunto belonging. And the Queene shall at her pleasure, charge the saide Collectour, upon his accompt, with the penaltie and forfeitures aboue rehearsed, or els recouer the same by action, bill, plaint, or suite of debt against the same Collectour, his heires, Executors or Administrators, wherein no W. or C. or P. or 34. Hen. 8. 1.

The Collec-
tors payment
being tendered,
sufficieth.

24. ¶ If any of the said Collectours tender payment of all such money by him receiued to the Queenes vse within the said thre moneths, at such place, and vnto such person as shalbe charged with the receipt of the same, and doe as much as in him shalbe for to make true payment thereof, and cannot be thereunto admitted by reason of impropriate business, or other lawfull impediment in him that should receiue the same, then the same Collectour shall

shall

shall not be charged with, or incurre any danger or penaltie contained in this acte. 34. Hen. 8. 2.

25 ¶ The heire of any Collectour aforesaide, (or of any Receiuer of the Eschequer, Duchie of Lancaster, or court of Wardes and Liveries) shall not be charged by reason of this acte, but onely for and in such landes &c. or hereditaments, which he shall haue by descent in fee simple, or fee taile, or by gift, or els by any other assurance made to any such heire only by couin from the said Collectour, or Receiuer, or any of their assignes. And in euery such case, the Queene, her heires and successours, shall haue execution onely of and in such landes &c. or hereditaments descended, giuen or otherwise assured as is aforesaide, vntill such time as her Maiestie &c. be fully satisfied of euery such summe of money due by any such Collectour or Receiuer. 34. Hen. 8. 2.

How farre the Collectours heire shall be charged.

26 ¶ The executours or administratours of euery such Collectour, shall not be otherwise charged by this act, but as executours and administratours should be chargeable by the order of the common law, in actions of debt used against them as executours or administratours. 34. Hen. 8. 2.

27 ¶ Where the heire of any of the Queenes Collectours, Receiuers or debtors shall be charged for his fathers or auncestors debts or duties whose heire he is, whereby the land descended or giuen to him by couin to defraud the Queenes execution thereof is put in execution, then such heire shall and may haue his action of debt against the executours or administratours of his said father or auncestor, and shall haue execution of the goods and cattels of the said father or auncestor being in the handes of the saide executours or administratours at the time of the saide action brought, in which action no M.C. or P. &c. 34. Hen. 8. 2.

How farre the Collectours executours or administratours shall be charged. The heire being charged shall haue remedie against the executours &c.

28 ¶ This acte of 34. Hen. 8. 2. doeth not extend to the Collectours of the Queenes custome, nor of the subsidie of Tonnage and Poundage, which be accomptable peerely in the Queenes Eschequer. And this act was provided for Receiuers also, but the foresaide statute of 7. Ed. 6. appointeth another order of accompt and payment to them, and also other penalties. See 34.

Collectours of the custome of the subsidie of tonnage and poundage.

29 ¶ All landes, tenements, profits, commodities, and hereditaments which any Treasurer, or Receiuer, in, or belonging to any of the Queenes courtes of the Eschequer, Wardes and Liveries, Duchie of Lancaster, Treasurer of the chamber, Cofferer of the houthold to the Queenes Maiestie, her heires or successours, Treasurer for the warres, Treasurer of any fort, towne, or castell, where any garrison is or shall be kept, Treasurer of the admiraltie or nauie, Treasurer, Undertreasurer, or other person accomptable to the Queenes Maiestie, her heires or successours for any office or charge, of, or within the Mint, Treasurer or Receiuer of any summes of money in prest, or otherwise for the vse of the Queenes Maiestie, her heires or successours, or for provisions of victuall, or for fortifications, buildings or workes, or for any other provisions, to bee vsed in any the offices of the Queenes

These accomptants landes liable to the payment of the Queenes debts.

Accomptants and debtors to the Queene.

Queenes ordinance and artillery, armory, wardrobe, tentes and pavilions, of
 reuels, Customer, Collectour, Ferme of Customes, Subsidies, Impostes
 of other dueties within any poze of the Realme, Collectour of the tenthes of
 the Clergie, Collectour of any Subsidie of Fifreene, Receiuer generall of
 the reuenues of any Countie or Counties answerable within the receipt of
 the Eschequer, or in the Court of wards and liueries, or the Duchie of Lan-
 caster, Clerke of the Hamper, now he hath or at any time hereafter shall haue,
 within the time whilist he or they, or any of them shall remaine accompta-
 ble, shall for the payment and satisfaction vnto the Queenes Maiestie, her
 heires and successors, of his or their arrearages, (at any time to be lawfully
 according to the lawes of this Realme adiudged, & determined vpon his or
 their accompt, all his due and reasonable petitions being allowed) be liable
 to the payment thereof, and be put in execution for the payment of such arre-
 rages, or debts to be so adiudged and determined vpon any such Treasurer,
 Receiuer, Teller, Customer, Collectour, Farmer, Officer or Accomptant as
 is afoze named in like and in as large maner to all intents, as if the same
 Treasurer, Receiuer, or Collectour &c. vpon whom any such arrearages or
 debts shalbe so adiudged, had the day he became first officer or accomptant,
 stand bound by writing obligatorie, hauing the effect of a statute of the Sta-
 ple, to her Maiestie, her heires or successors for the true answering and pay-
 ment of the same arrearages or debts. 13. Eliz. 4.

Where the
 Queene may
 see the accom-
 ptaunts lands.

6. Inuents

30. ¶ If any Treasurer, Receiuer, Collectour &c. or other person accom-
 pant before mentioned, which shal receiue or be chargeable with any money
 or treasure of the Queene, her heires or successors, & shall vpon the determi-
 ning of his accompt (al his due petitions to him vpon the same accompt be-
 ing allowed) or by reason of any Farme as afoze said, be found in arrearages,
 or to owe vnto our soueraigne Lady, her heires or successors any summe of
 money, and shal not within the space of sixe moneths next after his accompts
 finished, or debt knowen, (hauing allowance of his due petitions) truly pay
 all such arrearages as he shall owe vpon determination of his accompt, or
 vpon his debt knowen, then it shall be lawfull to the Queene, her heires and
 successors, at any time after the said sixe moneths ended, to make sale by her
 or their letters patents vnder the great seale of England, of so much of the
 landes, tenements, and hereditaments of euery such accomptant or debtor,
 as may suffice our said soueraigne Lady, &c. for the satisfaction of his debt
 or arrearages, untill her Maiestie &c. be by such sale fully satisfied of such ar-
 rerages and debt to be found vpon accompt or farme &c. And if any ouer-
 plus of money shal be reserved or had, vpon any such sale, then the same shal
 be deliuered to the Accomptant or Farmer, or his heires, by the officer that
 shal receiue the money, vpon any of the said sales, without any other warrant
 in that behalfe to be obteyned, and all the sales to be made to the Q. &c. shall
 be good and auailable in law against the party accomptant indebted, & his
 heires claiming as heires, and against the Queene, her heires & successors,
 notwithstanding

The like good
 against the
 Queene and
 accomptant.

notwithstanding any former charge or incumbrance to her Maiestie &c. by the person for whose debt the same shalbe sold. 13. Eliz. 4.

31 **C** If any person accomptant or indebted, as is aforesaid, shall at any time after he shal become accomptant or chargeable, as is aforesaid, purchase and buy, or cause to be purchased and bought, any landes, tenements or hereditaments, and cause the assurance thereof to be made in the name of any person or persons, where the same is in deed meant to the vse, profite, or behoofe of such person accomptant or indebted, or of any other person, and the same maner of purchasing and secret vses &c. shalbe found by office or inquisition, then all and euery lauds &c. so to be bought or purchased, or caused to be purchased, shalbe taken and vled for the satisfaction of the arrearages and debt of euery such accomptant or debtoꝝ to all intents, as though the person indebted vpon his or their accompt or farme, were thereof actually seised of such estate as was conueied to any person by any such accomptant or debtoꝝ, or by his meanes as is aforesaid. And all sales to be thereof made by the Q. &c. for satisfaction of such debt or arrearages, as shall be found to be due and owing to her, shall be of the like effect, and be vled in such like maner as is before (30) expressed. 13. Eliz. 4.

Accomptants purchase lauds in others names.

32 **C** All landes, tenements, and hereditaments which any accomptant before named hath heretofore sithence y^e beginning of the Queenes reigne, purchased, or caused to be purchased, to the intent the same should not be liable as is aforesaid (the couin being first found by office &c.) shall and may be seised by her Maiestie, her heires or successors, and retained by her &c. in fee simple, to be sold or otherwise vled at her and their pleasures, towarde the satisfaction of all arrearages already set or determined, or that hereafter shall be determined vpon his accompt (all reasonable and due petitions being allowed) at such rate & value as the same were purchased, or caused to be purchased, by any Treasurer, Receiuer, Teller &c. or by any person to their vse. If the lands so to be seised or sold by her Maiestie, her heires or successors, as is last aboue mencioned, doe surmount after the rate and value aforesaid, the debt & arrearages to be determined vpon the accompt of any Treasurer, Receiuer, or Accomptant before named, then her Maiestie &c. shall seise onely so much as shall amount after the rate and value aforesaid, to the iust payment of such debts and arrearages, as hath bene or shall be determined or adiudged vpon his accompt, as is aforesaid. 13. Eliz. 4.

Lands purchased since a beginning of the Queenes reigne.

33 **C** No Bishop hauing the collection of any Subsidie or Tenths, or any his lands &c. whereof he is seised in y^e right of his bishoppicke, shalbe charged by vertue of this act for any arrearages, of tenths or subsidie, otherwise then he might lawfully haue bene before the making of this act. 13. El. 4.

No Bishops lands charged.

34 **C** This act shal not extend to charge any Treasurer, Receiuer, or Accomptant aforesaid, hauing any perely receipt, nor any their lands &c. whose perely receipt, collection and charge, or whose whole receipt from the beginning of his charge, is not, or hath not bene, or hereafter shall not be aboue the summe

Accomptants not exceeding &c. &c. ii.

Accomptants and debtors to the Queene.

summe of CCC. li. in any other maner, then he might lawfully haue bene charged before the making of this acte. 13. Eliz. 4.

Accomptants
which are not
to make pres-
ent payment.

35 **C** But because the Treasurer of the chamber, and Cofferer of the household of the Queene her heires & successours, Treasurers of warres or garisons, Treasurers of the nauy, Treasurers or Receiuers of any summes of money for prouision of victuall, or for fortifications or for building, and master of the wardrobe are by order of their offices and charges after their accomptes ended, to disburse the debt remaining vpon their accomptes, in such charges as are necessarily to bee prouided in their offices and charges, so as they are not of such summes of money to make present payment as other accomptants are, therefore this act shall not extend to giue any authoritie to make sale of any lands &c. for any such debt to be iudged in any of their accomptes last mentioned, vntill the Q. her heires and successours vpon the determining of their accomptes (at their due petitions to them &c. being allowed) command present payment thereof, or otherwise estiones require a newe accompt of the same debt so remaining in any the accomptants mencioned in this branch, and that then the same debt or any part thereof, shall be found to be owing and vnpayed in the charges pertaining to any of their said offices, and the same debt remaine vnpaid by the space of vi. monthes after such request or commandement. 13. Eliz. 4.

Sheriffe, Es-
chetor, Bailiffe
of libertie.

36 **C** This act shall not extend to charge any Sheriffe, Eschetor, or Bailiffe of libertie, or the landes, tenements, or hereditaments of any of them, nor of any their heires or assignes, for any thing touching their office of Sheriffrick, eschetorship or bailiwicke, nor for any money by them received by reason of any their said offices, in any other maner then they might lawfully haue bene charged, before the making of this act. 13. Eliz. 4.

Lands purcha-
sed bona fide.

37 **C** This act as touching only the sale of any lands or tenements, shall not extend to any lands &c. which any persons now (viz. 2. April. 13. El. Anno. Dom. 1571.) haue or enioy, and haue purchased or obtained bona fide, and not being priuie or consenting to any such intent, to defraud the Queene as is aboue said. 13. Eliz. 4.

The partie
griened may
haue his tra-
uerse.

38 **C** It shall be lawfull to euery person, whose landes &c. shall by any office or inquisition be found to be fraudulently conueyed as is abouesaid: to haue his lawfull traaverse to euery such office &c. And if it be found with the partie that tendereth the traaverse, then hee shall haue the said landes out of the Princes handes without any petition, luerie, or Ouster le maine, or any other suite to be made or vsed, and the same being found for such person, so traaversing, the same landes &c. shall be adiudged as not lyable, chargeable, nor to be sold by force of this statute. 13. Eliz. 4.

If the Queene
doe let the debt
to his lands, the
sureties be dis-
charged.

39 **C** If the Queene &c. shall by any sale of lands by force of this statute, be fully satisfied of the debt or arrearages of any such accomptant or debtor, or any part thereof, then his sureties shall be discharged of so much of the said debt, forfeiture and arrearages, as so shall be satisfied, and for the residue onely

onely shalbe ratable (according to their abilities) charged, 13. Eliz. 4.

40 **C** The foresaid statute made 13. Eliz. 4. to make the landes, tenements, goods and cattels of Tellers, Receiuers &c. to be liable to the payment of their debts, shall to all intents as amply extend and be construed to extend to all such vnder collectours of Tenths and Subsidies of the Clergie, and to their landes, tenements and hereditaments, goods and cattels, for satisfiing of such money as they haue collected, or shall collect of the said Tenths and Subsidies to the vse of the Queenes Maiestie, her heires and successors (of what yeerely summe soeuer the charge of their collection is or shall be) in like fourme as it doeth extend to the Tellers, Receiuers, and other persons accomprant, whom the said act specially and expressly concerneth, and in as ample wise as if such vnder collectours were immediatly accomprant to the Queene &c. 14. Eliz. 7.

Under collectors of tenths and subsidies,

41 **C** And euery such vnder collector shall vpon proces awarded out of the Eschequer, be chargeable to accompt for his receipt of such Tenths and Subsidies, as any Receiuer immediatly accomprant to her Maiestie is or ought to be. And euery Archbishop and Bishop, and Deane and Chapter (Sede vacante) to whose charge the collection of such Tenths or Subsidies, doeth or shal appertaine, shalbe discharged of so much of the said Tenths and Subsidies, as shall be satisfiied to the Queenes Maiestie, her heires or successors, of or by the landes, tenements, or hereditaments, goods or cattels of such vnder collector or his heires, without any other warrant whatsoever to be obeyned, 14. Eliz. 7.

Under collectors of tenths accomprable in the Eschequer,

42 **C** The said act of 13. Eliz. 4. in euery part thereof touching p power giuen by that act vnto her Highnesse, her heires and successors, to make sale of any the landes, tenements or hereditaments, by the same act limited to be sold, is, shall, and ought to be expounded and intended aswell in case where the sale is to be made after the death of such accomprant or debtor, as where it is to be made in his or their life time: And also aswell in case where the accompt is made, or the debt knowen within eight yeeres after the death of such accomprant or debtor, as where the same accompt is made, or debt knowen, in the life time of the same accomprant or debtor: Any ambiguitie or question, that hath risen or growen, or may arise, growe, or be conceined, vpon the letter of the same act, to the contrary thereof in any wise notwithstanding. 27. Eliz. 3.

Sale of the accomprants lands after his death.

The accomprants debt knowen within viii. yeeres after his death,

43 **C** After the death of such accomprant and debtor as is mentioned in the said recited act of 13. Eliz. and before such time as any the landes, tenements and hereditaments, descended vnto the heire of such accomprant or debtor, as heire vnto the same accomprant or debtor shalbe sold as aforesaid, a Scire facias shall be awarded out of her Maiesties court of Eschequer vnto the Sherife of the Countie, where any such landes doe lie, to garnish the same heire, to shew cause why the same landes, tenements and hereditaments so to him descended as is aforesaid, should not be put to sale for satisfiacion of the

Proces as gainst the accomprants heires before the sale of his lands.

Accomptants and debtors to the Queene.

scilicet videlicet said debts or fermes in the same acte mentioned, according to the tenour of the said act. Whereupon if the heire doe not within a convenient time upon a garnishment or two Michils returned, shew and proue unto the said court, that the executors or administrators of such accomptant or debtor haue sufficient, which ought to answer or be liable for the same debt or ferme, or whereby the said debt or ferme, shall and may be duly and fully satisfied: Then after ten moneths next after such two Michils or garnishment returned, the same lands, tenements and hereditaments shall be sold by her Maiestie, her heires or successors, & the money thereof comming disposed according to the true intent and meaning of the said former recited Act. 27. El. 3.

*The heires
sale good to
him which is
not consenting
to defraud
the Queene.*

44 ¶ The said recited acte and this statute of explanation also as touching onely the sale of any landes, tenements or hereditaments to be made after the death of such accomptant or debtor as is aforesaid, shall not extend to any landes, tenements or hereditaments, which any person or persons not being priuie or consenting vnto any such intent to defraude the Queenes Maiestie, her heires or successors, as in the said recited act is mentioned, now haue or enioy, and haue purchased or obteyned, or before any Scire facias to be awarded, as is aforesaid, shall haue, or enioy, purchase, or obteyne Bondside, and vpon good consideration: Any thing in this act, or in the before mentioned acte to the contrary thereof in any wise notwithstanding. 27. Elizabeth 3.

*To what ac-
comptants
this statute of
explanation
shall extend.*

45 ¶ This act of explanation shall extend onely vnto such as haue bene or shall be Cellors, Receiuers, Treasurers, Customs, Cofferers of the household, Farmers of impost, Collectors, Bailiffes, Utrailers and other officers of receites and accompes, vnto the Queenes Maiestie, her heires and successors, and to euery of them, their heires, executors and administrators, and to none other. 27. Eliz. 3.

*Proces a-
gainst the heire
where the debt
groweth in the
court of wards
or Duchie.*

46 ¶ In such cases where any accompt shall or ought to be made, or any debt shall be owing in the courts of the Duchie of Lancaster, and Wardes and Liuries, or in any of them: then after the death of such accomptant or debtor, as is mentioned in the said former act in any of the said last mentioned courts, and before such time as any of the landes, tenements or hereditaments, descended vnto the heire of such accomptant or debtor, as heire vnto the same accomptant or debtor, shall be sold as aforesaid, such proces shall be awarded as hereafter is expressed, that is to wit, first a priuie seale commanding the same heire to make personall appearance in the Court, out of which the same priuie seale shall be awarded, to shewe cause, as in the writ of Scire facias to be awarded out of the Exchequer is before appointed. And if the same heire shall make default at the day of the returne of the same priuie seale, then vpon Affidavit made, that the same priuie seale was duly serued either vpon the person of the same heire, or left at the place of his or her dwelling, or most vsuall abode, an attachment with proclamation shall be awarded against the same heire, and shall be openly published and proclaimed, in

¶ Priuie Seale.

*An attach-
ment with
proclamation.*

some

some market Towne in the Countie where the same heire was last dwelling, or made his or her vsuall abode, vpon some market day, there in the time of open market, twentie dayes at the least before the returne thereof. And if vpon returne thereof, the said heire shall ctsloones make default: Then all things shall be done and executed, for the sale of the same lands, tenements and hereditaments, and for the full satisfaction of the same debt, or ferme, in like and as large maner and forme, to all intents and purposes, as before in this act is limited and appointed, in cases where default is made vpon a garnishment, or two Michils, returned vpon a Scire facias, awarded out of the said court of Eschequer. 27. Eliz. 3.

47. ¶ If the heire of any accomptant or debtoz before mentioned, shall happen to be within the age of 21. yeeres, when any such proces shall fortune to be awarded: Then during the time of his Nonage, this act or any thing therein contained shall not in any wise be extended, executed or put in vye as touching or concerning onely the selling of the lands, tenements or hereditaments of any such heire: Any thing in the same act conceived to the contrary in any wise notwithstanding. And yet neuerthelesse after such time as any such heire shall accomplish the full age of 21. yeeres, all and singular the lands, tenements and hereditaments descended vnto the same heire from any such debtoz or accomptant as aforesaid, shall at all times during the space of eight yeeres then next ensuing, be subiect and liable to be sold for the payment and satisfaction of her Maiestie, her heires, or successors, according to the intent and true meaning of this act, in such maner and forme to all intents and purposes, as if the same heire had bene of full age at the time of the death of such debtoz or accomptant. 27. Eliz. 3.

48. ¶ This act or any thing therein conteyned, shall not extend to the sale of any lands, tenements or hereditaments, of any such heire or heires, for or by reason of any accompt, debt or ferme, whereof any such debtoz or accomptant haue or shall haue a Quietus est, or discharge in his or their life time. 27. Eliz. 3.

49. ¶ If any dilme or part of dilme be graunted by the Clergie of the prouince of Canterburie and Yorke, to the Queene, or to her heires, after the certificat thereof into the Eschequer, and of the names of the Collectors for the gathering of the same, if the same Collectors doe come by proces before the Barons of the Eschequer, and enter into their accompt, they shall not be bound to answer any bill or billes there exhibited against them by reason of the said entry in their accompt, for any maner of cause but onely for the matter touching the said accompt. But if the said accomptant be sued in any other Court, by writte, bill, or plaint, then he shall take no priuiledge of the said Eschequer by reason of the said accompt for any such suite. 1. Richard. 3. 74.

50. ¶ If he that is condemned and in execution at another mans suite, wil confesse himselfe debtoz to the Queene, where he is no debtoz of record,

And if the
of non legi
of non legi
of non legi
of non legi
of non legi

And sale of the
heires lands
during his or
minoritie, shall
not extend to
the selling of
the lands, tenements
or hereditaments
of any such heire

The heires
lands liable
to sale 8. yeeres
after his full
age.

No sale of
lands where
the accomptant
hath a
Quietus est.

Accomptants
for dilmes not
chargeable to
other suites in
the Eschequer.

Confession of
debt to the
Queene to auoid
another
execution.

Accomptants and debtors to the Queene.

he shall be remanded to the first prison, and his creditor being satisfied, hee shall be committed to the Fleet, vntill he hath paid the Queene that summe confessed, 1. Rich. 2. 12.

The suerties shall not be charged so long as the principal debt is sufficient.

51 **C**The Queene nor her Bailifes shall seise any mans landes or rent for any debt, so long as the debtors presence or cattell will suffice to pay the debt, and the debtor ready to satisfie it, nor any mans suerties shall be distrained, so long as the chiefe debtor is sufficient, and if the chiefe debtor doth faile of payment, not hauing, or not willing to pay, the suerties shall answer it, and if they will, they shall haue the debtors lands and rents, vntill they be satisfied, Magna Charta, Anno 9. Hen. 3. 8.

The Sherife having process to leue the Queenes debts, must take suretie of the partie being offered to discharge it.

52 **C**Too great a distresse shall not be taken for the Queenes debt, nor giuen too farre, and if the debtor can finde sufficient and conuenient suretie vnto the Sherife, vnto a certaine day within which he can procure a remedie to agree for the thing in demand, the distresse shall be discharged in the meane tyme, and he that doeth otherwise shall be grievously punished. 28. Ed. 1. 12. And all debtes of the summons of the Eschequer, that the Sherife or Bailife doe confesse receipt of, shall be forthwith allowed, so that whether he receiued all the debt or part, it shall neuer come in demand or summons after the Sherife hath confessed payment. Stat. de distric. Scac. 5. 1. Hen. 3. And if the Sherife at the next accompt after he hath receiued such debtes, do not acquite the debtor, he shall pay to the plaintife thise so much as he receiued, and make fine at the Queenes pleasure. West. 1. 3. Ed. 1. 19.

The Sherife having leuied the Queenes debts, shall discharge the debtor.

Commissions to enquire of accomptants.

53 **C**Immediately after euery small accompt, made and deliuered before the Barons of the Queenes Eschequer, by any Sherifes, Eschetors, Customers, Comptrollers, and other officers accomptable, the tenour of the accompt of euery of the same officers shall be from time to time sent into the Counties in the which the same accomptants be officers, together with commissions directed to the most credible, lawfull and discrete persons, for to enquire and make certificat of the profits, which the said accomptants haue receiued in the foresaid Counties, in their owne name to the Queenes vse, and vpon their accompts, haue deceitfully concealed and retained the same, to their owne vse and profite. And in case any such Accomptants be attained of any such fraudes and deceits, they shall forfeite to the Queene, treble of that, whereof they shall be conuicted, and their bodies shall be imprisoned, vntill they haue made fine and ransom to the Queene, according to the discretion of her Judges, 6. Hen. 4. 3.

Accompt.

Accomptants with drawing themselves.

If Bailifes which are bound to peelde, accompt to their Lords, doe with-
drawe themselves, and haue no landes or tenementes whereby they may be distrained, then their bodies shall be attached, so that the Sherifes, in whose Bailiwikes they shall be found, shall cause them to appeare, to peeld their accompts. Darb. 1. 2. Hen. 3. 24.

2 **C**If the master doe assigne Auditors to any Bailifes, seruants, chamberlaines,

berlaines, or other receivers, which are bound to yeeld accompt, & it chaunce them to be found in arrearages (all things being to them allowed) they shall be arrested, and by the testimonie of those Auditours committed to the next gaole which the Quene hath in those parties, and shall be receiued of the Sherife or his gaoler, and in prison fettered in irons, and remaine in the same prison liuing of their owne goods, untill they haue fully satisfied their master of all the arrearages. But if any which is so committed to prison, will complaine that the Auditours haue vniustly charged him with receptes which he hath not receiued, or by not allowing him reasonable expences, and will finde friendes which will undertake to bring him before the Barons of the Eschequer, he shall be deliuered vnto them, and the Sherife in whose custodie he is, shall warne his master that he doe appeare before the Barons of the Eschequer, at a certaine day, with the Rolles and Talys whereby hee yeelded his accompt, and in the presence of the Barons or the Auditours which they will assigne, the accompt shall be recited, and iustice shall be done to the parties, so that if he be found in arrearages, he shall be committed to the fleete, and if he flee, and will not willingly yeeld his accompt, he shall be distrained to come before the Iustices to accompt, if he haue whereby to be distrained, and when he commeth to the Court, Auditours shall be appointed vnto him, before whom if he be found in arrearages, and will not soone with pay the same, he shall be committed to the gaole, to be kept in forme aforesaid, and if he flee, and the Sherife doeth testifie that he cannot be found, the exigent shalbe awarded against him untill he be outlawed, and he which is so committed to prison, is not repleuisable, West. 2. Anno 13. Ed. 1. 11. See Escape 1.

Where Auditours may commit accomptants to prison.

Ex parte talis.

1. That an action of debt is maintainable against a Sherife or Gaoler, which letteth an accomptant escape, that is committed to his gard. See Escape 1.

2. That executours shall haue an action of accompt. See Executors. 1.

3. When, where, and before whom, Collectors for the building of prisons, shall make their accompt, See Prisons. 2.

4. For the accompt of those which shall receiue any money for the mending of hie wayes, See hie wayes. 10. 11.

5. For the accompt of Collectors and Surueiours for the mending of Bridges, See Bridges 4.

6. For the accompt of Collectors for the poore, and of Censors, and Collectors for the houses of correction. See Poore 6. 26.

7. That in debt vpon the arrearages of accompt the defendant may wage his lawe, or pleade to an inquest. S. Wager 3.

Accusation.

NO Freeman shall be taken or imprisoned, or disseised of his freehold, liberties or free customes, nor shall be outlawed, banished, or by any meanes brought to destruction, neither shall any passe, or sit in iudgement

No man shall be condemned without lawfull trial.

Additions. Admeasurement.

upon him, but by the lawfull iudgement of his equales, or by the lawe of the Realme, neither shall iustice or right be sold, denied, or deferred to any man. Magna Charta 9. Hen. 3. 29. 5. Ed. 3. 9. And if any man be taken or put to answer without a presentment before Iustices, or some matter of record, or by due proces, or by writ originall, the same is void and erroneous. 25. Ed. 3. 4. 28. Ed. 3. 42. Ed. 3. 2. See Suggestion.

Additions.

Additions
where an er-
gent shalbe
awarded.

In every originall writ of actions personalles, appeales and indictments, where an exigent shalbe awarded, the names of the defendants shalbe put, with additions of their estate or degree, or myserie, & the Townes or Hamlets or places, and the Counties of the which, and in the which they were or be conuersant. And if by proces upon the said originall writtes, appeales, or indictments in which the said additions be omitted, any ouclawyes be pronounced, they shall be void, and before the ouclawyes pronounced, the said writtes and indictments shalbe abated by exception of the partie, whereas in the same the said additions be omitted. But though the same writtes of actions personalles doe not agree with the recordes and deedes in surplusage of the foresaid additions, yet for that cause they shall not abate. And the Clerkes of the Chauncerie (under whose names such writtes shall be written) shall not omit the said additions, upon paine to be punished, and to make fine to the Queene at the Chancelours discretion. 1. Hen. 5. 5.

Addition in
Excommunicato
capiendo.

If the offendour against whom any writte de Excommunicato capiendo, according to the Statute of 5. Eliz. shalbe awarded, shall not in the same writte haue a sufficient and lawfull addition, according to the fourme of the foresaid Statute. 1. Hen. 5. Then all paines and forfeitures limited against such person excommunicat by the said Statute, by reason of the said writ of Excommunicato capiendo, wanting sufficient addition shalbe void. 5. Eliz. 23. See Excommunication.

Admeasurement.

Admeasure-
ment of dower

The Gardein shall haue a writ of admeasurement of dower: But yet by the Gardeins suite, (if he will sue fairly and by collusion against the woman which is tenant in dower) the heire shall not be foreclosed when he cometh to full age, to admeasure the dower, as it is to be admeasured by the lawe of this Realme. And as well in the writte of admeasurement of dower, as in admeasurement of pasture, when y^e suite is come to the graund distresse, dayes shall be given, within the which there may be holden two Counties, at the which open proclamation shall be made, that the defendante shall appeare at the day conteyned in the writte, to answer the plaintife, at which day, if he doe appeare, the suite shall proceede betwixt them, and if he doe not appeare, and the proclamation be in fourme aforesaid testified by the Sherife, admeasurement shall be made by the default. Westminster 2. 13. Ed. 1. 7.

Dayes given
in the writte
of admeasure-
ment.

If by a suit moued vpon a writte of admeasurment of pasture, the pasture was once admeasured, and that it chaunce after such admeasurment the pasture to be ouercharged againe by him that first did ouercharge, with moe beastes then he ought to keepe, if the admeasurment were before the Iustices, the plaintife shall haue a Iudiciall writte, that the Sherife in the presence of the parties being summoned (if they will appeare) shall inquire of the second surcharge, which if it be found, shall be returned before the Iustices vnder the seales of the Sherife and the Iurors, and the Iustices shall awarde the plaintife damages, and shall put in the estreats the value of the beastes, which bee that ouercharged after the admeasurment, put into the pasture more then he ought, and shall deliuer the estreats to the Barons of the Eschequer to answer the Queene. If the admeasurment were made in the Countie, then at the request of the plaintife, a writte shall be awarded out of the Chauncerie, that the Sherife shall enquire of such ouercharge, and of the cattell put in the pasture aboue the due number, and shall answer the Queene the value of them in the Eschequer. And least the Sherife should deceiue the Queene in this case, all such writtes de Secunda superoneratione, which be awarded out of the Chauncerie, shall be enrouled, and in the ende of the peere the transcript thereof shall be sent into the Eschequer vnder the Chauncelours seale, that the Treasourer and Barons of the Eschequer may see howe the Sheriffe hath answered the profite of such writtes. And in like sort shall the writtes of Redisseisin be enrouled, and sent into the Eschequer in the end of the peere. Westminster 2. 13. Ed. 1. 8.

Secunda superoneratio pastura.

Administrators.

Where a man dyeth intestate, the Ordinarie shall depute the next and most lawfull frendes of him which dyed intestat, to administer his goods, which deputies shall haue an action in the Queenes Court to demand and recouer as executours, the debtes due to him, which is dead, and shall answer others in the Queenes Court, to whom the dead person was indebed and bound, in the same maner as executours shall, and also shall be accomptable to the Ordinarie, as executours shall, in case where a testament is made. 3. 1. Ed. 3. 11.

I To whom the Ordinarie shall commit the administration of the goods of him that dyeth intestat, and what he shall take for the same. See probate of Testament. 5. 6.

Admirall and Admiraltie.

The Admirall and his deputie shall meddle with nothing done within the Realme, but onely with things done vpon the Sea. 13. Rich. 2. 5. And he that is grieved against this statute shall haue an action vpon the case against him which pursueth in the Court of the Admiraltie, and shall recouer against him double damages, and the pursuer being attainted shall forfeite to the Queene 1. li. 2. Hen. 4. 11.

With what thing the Admirall shall meddle.

Admirall and Admiraltie.

Where the
Admirall hath
jurisdiction both
by sea.

2 The Admirall court hath no manner of cognisance, power, or jurisdiction of any contracts, pleas, quarrels, or other things made or rising within the body of the Shires, by land, water, or wrecke of Sea, but all such contracts &c. and other things shalbe tryed, determined, discussed and remedied by the lawes of the Realme, and not before the Admirall nor his deputie. But the Admirall hath cognisance of the death or mayhem of a man committed in any great shippe, fleeting vpon the hie streame of great Riuer: onely beneath the Bridges of the same Riuer next the Sea. And also to arrest shippes in the great streames for the great voyages of the Queene and the Realme, sauing to the Queene al forfeitures and profices thereof comming. And also he hath iurisdiction in the said streames during the said voyages onely, sauing to all Lords, Borowghs and Cities, their Liberties and Franchises. 15. Rich. 2. 3.

Conservators
of the truce.

3 By the statute 2. Hen. 5. 6. like power as the Admirall hath, is giuen to him which shall be assigned by the Queene in any Port to be conservator of the truce, except for the determination of the death of a man which is committed vpon the maine Sea, and the execution of the same, which is alwayes referred to the Admirall or his generall Lieutenant. See Piracie. For the authorities delegaties in marine causes. See appeales. 8.

Age.

Nonage shall
not helpe the
disseisor of his
heire.

If a man doe purchase an Assise, and the principall disseisor dyeth before the Assise doeth passe, the plaintife shall haue a writ of Entry vpon disseisor against the heire of the disseisor of what age soeuer he be. And in the same manner the heire of the disseisor shall haue his writ of entrie against the disseisors or their heires of what age soeuer they be, if the disseisor die before he hath purchased his writ, so that the writ shall not be abated, nor the plea, delayed by the nonage of the heires of the one partie or of the other, but in that a man may without offending the law, fresh suite shall be made in haste after the disseisin. And this point shall be obserued in the right of Prelates and others, to whom lands cannot by any meanes come after the death of others, whether they be disseisors or disseisees. And if the parties in pleading descend to an Enquest, and that doe passe against the heire within age, and namely against the heire of the disseisor, he shall in that case haue an attayne by the Queenes speciall fauour without giuing any thing therefore. Westminster 1. 3. Ed. 1. 46.

Prelates.

Attaint.

Nonage shall
not stay an
Enquest.

2 If an Infant be kept from his inheritance, after the death of his father, grandfather or great grandfather, whereby he is enforced to haue a writ, and his aduersarie doeth appeare in Court, and in pleading alledgeth a seffement, or sheweth some other thing, whereby the Iustices doe award an Enquest, there whereas an Enquest was differred vnto the full age of the Infant, now the Enquest shall passe as though he were of full age. Gloucest. 6. Ed. 1. 2.

Suit by pro-
chein amy.

3 In euery case where such as be within age may sue, if they be eloiigned,

eloigned, so that they cannot personally sue, their next friends shall be admitted to sue for them. *Westm. 2. 1. 3. Ed. 1. 15. See Wardes.*

1 That a woman's suite which demaundeth landes, that her husband did alien of hers, shall not be differred by the minoritic of her husbands heire which should warrant them. *See Women, 15.*

2 That eche one bound Apprentice within age, shall serue as if hee were of full age. *See Labourers 23.*

Ayde to make the sonne Knight, and to marry the daughter.

There shall be taken of a whole Knightes fee for reasonable ayde to make the sonne Knight, or to marry the daughter, but xx.s. and of xx. pound land holden in Socage xx.s. and of more, more, and of lesse, lesse, after the rate. And none shall leuie such ayde to make his sonne Knight, vntill his sonne be xv. yeeres of age, nor to marry his daughter vntill she be of the age of vii. yeeres, and thereof mention shall be made in the Queenes writ framed thereupon, when any man will demaund it. And if the father chaunce to die, when he hath leuied such ayde of his tenaunts, before hee hath married his daughter, the fathers executours are bound to satisfie the daughter of so much as the father receiued for this ayde. And if the fathers goods be not sufficient, his heire shall satisfie the daughter. *Westm. 1. 3. Ed. 1. 35. And the same lawe is in the Kings case to make his eldest sonne Knight, or to martie his eldest daughter. 25. Ed. 3. 11.*

The Kings
sonne or
daughter.

Ayde of the Queene.

If the Queene make a Feffement, and the deede thereof containeth so much, that another person by like deede or feffement should be bound to warrantie, the Iustices shall proceede no further, except they haue commandement from the Queene. But where the Queene hath confirmed or ratified another mans deede of that thing which was an other mans, or hath graunted any thing to another, as much as in her is, or where a deede is shewed forth that the Queene hath giuen any tenement, in which deede there is no clause of warrantie, and in such like cases, it shall not be surceased by occasion of such confirmation, ratification or graunt or word or other like, but after the same is shewed to the Queene, they shall proceede without delay. *Stat. de Bigamis. 4. Ed. 1. 1. & 2. See Affise. 5.*

Where ayde
shall be graun-
ted of the
Queene, and
where not.

2 **C**oncerning the dowers of women, where any Gardeins of the inheritance of their husbands haue the wardships of the gift or graunt of the Queene, whether the Gardeins doe holde the thing in demaund, or doe call the heires of the sayd tenements to warrantie, if they doe except that they can not answer without the Queene, it shall not therefore be surceased but the suite shall in due maner proceede. *Stat. de Bigamis. 4. Ed. 1. 3.*

In bolwer the
Queenes pa-
rentees of a
warde, shall
not haue aide.

3 **A** man shall haue but foure writs of Search for the Queene, where of euery writ shall be deliuered fourtie dayes before the returne of the same. And then they which sue for the Queene, shall be put to answer and to de-

Foure writs
of search.

fend

send the lands and tenements demanded, against the Queene aswel as they can, whether any monument or remembrance be found for the Queene or not, though the suit be in the Parliament, Chauncery, Kings bench, or common place. And by commandement vnder the great or Priuie seale, no point of this nature shalbe delayed. 14. Ed. 3. 14.

1 Whereupon 2 Trauers two writs of search shall be graunted. See Trauers 4.

2 Wherein Assise brought against the Queenes patentee he shal not haue ayde. See Assise 3.

Alchouse.

Justices of
peace may dis-
charge selling
of ale or beere.

The Justices of peace in euery Shire, Citie, Towne corporat, Fran-
chise or Libertie, or two of them at the least (whereof one to be of the
Quorum) haue power within the limits of their Commission to discharge
common selling of Ale and Beere in Alehouses, and Tipling houses, in such
places where they shall thinke meete. 5. Ed. 6. 25.

The penalty of
keeping ale
houses with-
out license.

2 **I**f any person doe keepe any common Alehouse, Tipling house, or
vse common selling of Ale or Beere, but such as shalbe thereunto admitted
in the open sessions of the peace, or els by two Justices of the peace (where-
of one to be of the Quorum) and shalbe bound with suretie by recognisance,
against the vsing of unlawfull games, and for the maintenance of good or-
der (for the making of which recognisance he shall pay but xii. d.) the same
shalbe committed by 2 Justices or two of them (whereof one to be the Quo-
rum) to the common Gaole, within the same Shire, Citie, Borough, &c.
there to remaine without baile or Mainprie three dayes. And before his
deliuerance shalbe bound in recognisance, with two sureties that he shall not
keepe any common Alehouse, or vse selling of Ale or Beere, and shall for his
fine pay xx. s. and the certificat of a recognisance, and the offence at the next
Quarter session made by a Justice of peace, shalbe a sufficient conviction of
the offence. 5. Ed. 6. 25.

Alehouses
kept in faires.

3 **B**ut in such Townes and places where any Faïres shalbe kept, it
shalbe lawfull for the time onely of the same Faïres, for euery person to vse
common selling of Ale or Beere in booches, or other places, for the reliefe of
the Queenes subiects that shall repaire to the same, in such maner as they
haue vled. 5. Ed. 6. 25. See Justices of peace. 71.

Aliens, Strangers, Denizens.

Aliens shall
make no cloth.

No person not borne vnder 2 Queenes obedience or made Denizen, be-
ing artificer or handicrafts man, nor none other for him, or to his vse, shal
make any cloth, or put any wooll to worke, to make any cloth in this realme,
vpon paine to forfeit 2 same cloth, nor that sel any wares within this realme
but onely in grosse and not by retails, & in the port, towne or place, where the
same artificer shalbe dwelling, and in none other place, vpon paine to for-
feit the same wares to the Queene, and him that wil seile or sue for the same
by 2. 1. &c. wherein no 2. 1. &c. 1. R. 3. 9. See Marchantes 1.

Aliens shall
sell no wares but
in grosse.

W. 1. 50. 23. R. v. pham. 1. 1.

2 **E** No Stranger borne, not being Denizen, shall conuey into any partes out of the Queenes obeisance, without her license, any long bowes, arrowes of shaftes, vpon paine of foxf. of the same or the value thereof and imprisonment. Nor shall vse shooting with long bowes within the Queenes obeisance without her license, vpon paine of foxf. of the bowes and arrowes wherewith he shalbe found shooting. And euery of the Queenes subiects may seise the same, &c. 3. 14. 8. 9. See Archery 6. 7.

Transporting
of bowes, and
vsing of shoos-
ting.

3 **E** Euery Alien made Denizen, shall pay to the Queene and her heires and to euery other person, and to all Officers of Cities, Boroughs and Townes, all such Subsidies, Customes, Colles, dueties and other summes of money for their wares, Marchandizes and goods, as they should haue payed, before they were Denizens, any graunt made, or to be made, or any statute &c. notwithstanding. But all Officers of Cities, Boroughs and Townes, wherein any such dueties &c. shalbe demaunded, shall set by in open place of such Citie, Borough or Towne, a table or tables, by which the certaintie and duetie of such Custome, Col, &c. may appeare, to the intent nothing may be exacted, other wise then hath bene accustomed. This act shall not be prejudicial to the Marchants of the Stiliard in London, but they shal enioy such priuiledges &c. as they had before the making thereof. 22. 14. 8. 8. See Corporation 6.

Denizens shall
pay such duties
as they
did before they
were made
Denizens.

Marchants of
the Stiliard.

4 **E** All Aliens borne being Denizens, or not Denizens, vsing any manner of handicraft, inhabiting within London, or the suburbs thereof, within Westminster, the Parish of Saint Martins in the fieelde, the Parish of our Lady of the Stronde, Saint Clements of Danes, Saint Giles in the fieelde, Saint Audrewes in Holborne, the Towne & Borough of Southwarke, Shorditch, White Chappel parish, Saint Jones streete, the parish of Clerkenwell, Saint Botolphes Parish without Algate, Saint Katherins, Barmondsey streete, or within two miles compasse of the sayd Citie of London, or the Parishes aforesayd, shalbe vnder the search and reformation of the Wardens and Fellowship of the handicrafts which they doe occupie within the sayd Citie, with one substantiall Stranger being an houlholder of the same Craft by the same Wardens to be chosen. And those Wardens and Stranger shall appoint to euery Alien being a blacke Smith, Cowper, Pouchmaker or Joyner (taking nothing therefore) a marke, which he shal put vpon his worke, ware, or vessell: and if any Stranger vsing the mystery of Smiths, Joyners, or Cowpers, shal make any wares or vessels concerning the same mysteries, and doe not put such marke to euery of them, before they be put to sale or vse, without taking any thing therefore, he shall forfeite the double value of the same wares and vessels to the D. & J. to be recovered by A. J. &c. wherein no W. & C. or P. &c. But if the sayd Wardens &c. refuse to marke the wares of any stranger requesting the same then the Stranger may put to sale his sayd wares. 14. 14. 8. 2.

Aliens within
London or two
miles compas
be vnder the
search of the
Wardens of p
mysteries they
occupie.

Euery Alien
shall haue a
marke to set
vpon his
worke.

5 **E** The Wardens of euery such mystery, calling to them one stranger
of

Aliens, Strangers.

Wardens shal
search all al-
iens worke.

of the same myserie, being a houlholder, haue power to search, vewe, and reforme in London and other places aforesayd, all wares of workemanships made by handicraft men being Aliens. And if vpon such search, they shall finde and adiudge any vessels, or ware in the possession of the workers or owners falsly and deceitfully made to the hurt of the Queenes people, then the same worker or owner in whose possession the same false and deceitfull wares shalbe found, shall forfeite the same to the Queene and the first finder thereof, to be recouered in any of the Queenes Courts by action of Detinue, wherein no *M.C.* or *P. sc.* 14. *H. 8.* 2. And if any Stranger artificer that is an houlholder being required by the Wardens, gouernours or their deputies, doe refuse to go with the sayd Wardens to make search in forme aforesayd, and that he be proued before the Chancelloz of England, the Maior of London, or the chiefe officer of the Citie, Borough, Towne, where, &c. he shall vse such occupation no more within England. 21. *H. 8.* 16.

Wardens,
Bailifes, go-
uernours may
search aliens.

6 **¶** Wardens and Masters of fellowshipes of all handicraftes within any Citie, Borough or Towne corporat where Wardens be, and the Bailifes or gouernours of Townes &c. where no Wardens be, haue authoritie with the Baillife or Bailifes of the Libertie, where any Libertie is, (being content so to doe,) to vewe, search and reforme strangers, inhabiting and vsing within any such Citie, Towne, &c. any handicraft, in as ample maner as the Wardens and fellowship of London may doe by this Act. And all Strangers vsing any of the said handicraftes, in any of the sayd Cities, Boroughs, &c. be bound to doe and obey in euery thing according to the tenor of this Act, vpon the paines and forfeitures, & to be recouered as is aboue remembred. But this Act doeth not extend to the inhabitant Strangers in the Uniuersities of Oxforde, or Cambridge, or within the Sanctuarie of great Saint Martins within London. 14. *H. 8.* 2.

Aliens in Ox-
ford, Cambridge,
great Saint
Martins.

The remedie if
Aliens be in-
creased wjth
fullp.

7 **¶** If the Wardens of any fellowship &c. Bailifes, gouernours &c. will wrongfully intreat any Stranger in executing any thing contained in this Act, then the Stranger grieved, may by bill or information complaine to the Lord Chancelloz and Treasourer of England, or to the Iustices of the Assise in the Countie, which by their examinations haue authoritie to heare and determine the same complaint, and to award to the complainant such amendes as by them shalbe thought reasonable. 14. *H. 8.* 2.

Aliens shalbe
contributoz
to subsidies
and taxes.

8 **¶** All Strangers Artificers made Denizens, that wil inhabite within London, the Suburbes or Parishes aforesayd, or within two miles compasse of the same, and keepe houses and occupie their Craft shalbe contributoz to and with the Queenes subiects, artificers within London, paying and bearing the charges following, (that is to say) euery Stranger Cordwayner, being an houlholder, which worketh olde stuffe or newe, shall quarterly pay to the Master Wardens and comunaltie of the sayde Craft of Cordwayners within the sayd Citie vi. d. and euery seruant Stranger not being Denizen shall pay quarterly iii. d. And all other Strangers, Artificers,

cers, and Denizens of every handicraft, inhabiting within London, or any other Citie or Towne within this Realme, shall pay, beare and sustaine all like charges, as the Queenes subiects of like mysterie, bozne out of her obedience, inhabiting within y^e same citie, towne &c. doe beare. And al strangers, Artificers, and Denizens exercising the sayd Craft of Cordwayners, dwelling out of London, in any other Citie or Towne, shall pay, beare and sustaine scot, taxes, callages, subsidies, prefts, and all other reasonable exactions, as the Masters, Wardens, and companies of the sayd Craftes for the time being, be bound to pay, when any subsidy, tax, callage or preft, or other reasonable charges shalbe assessed by the Mayor and Aldermen or common Councell of the sayd Cities, Townes &c. of, or for any charge or payments of money to be payd vnto the Queene, or for any cause concerning the common wealth of the sayd Cities, Townes or Artificers &c. And whosoever denieth to pay as contributorye with the sayd Companies, shall not any longer occupie any handicraft, vpon paine to forfeite x. li. to the Queene, and to be recouerd by A. J. &c. wherein no W. C. or J. &c. 21. H. 8. 16. Seeke whether he shall forfeite ten pound, all his goods, or the value of Quere, the thing by him solde.

9 **T**he Stranger, Artificer, Denizen or not Denizen, being a householder, which will remaine within this Realme, shall vpon lawfull notice to him given by the Master or Wardens of his Craft, or one of them, personally present himselfe in the common Hall, or meeting place of the sayd Craft within the Citie or Towne where he doeth inhabit, and there shalbe sworn vpon the holy Euangelistes to be faithfull and true to the Queene and her heires, Kings or Queenes of England, and to be obedient to her and her Lawes, and to all Acts, ordinaunces, and decrees made and confirmed by her and her Councell, or by her Councell. And that at all times when he shalbe appointed by the Wardens of the fellowship &c. or their deputies, he shalbe ready to goe with the sayd Wardens to make search. And that he shall not giue notice to any Stranger of the sayd search, vntill he with the sayd Wardens come together to make the same. And that he shall well, indifferently, and truly behaue himselfe, setting all affection, fauour, malice and dread of any creature, and all fraude and deceite apart. And the othe so receiued, the sayd Stranger shall pay for his admission, as the Queenes subiects vse to pay, 21. H. 8. 8. 16.

The Strangers othe.
No alien Artificer nor Denizen shall keepe any house or shop in England,

10 **N**o Stranger Artificer not being Denizen, shall set vp or keepe any house, shop or chamber within London, or any other Citie, Towne, Borough, or Village wherein he shal exercise any handicraft or mysterie, vpon paine to forfeite all his goods. 21. H. 8. 16. 1. R. 3. 9.

11 **N**o Stranger Artificers, Denizens, or other bozne out of the Queenes obedience, shall assemble in any company, fellowship, congregation or conuenticle, but onely in the common Hall of their craftes, with the Queenes subiects of the same craftes, at such time as they shalbe commanded

Aliens shall not assemble in companies but in their Halls.

by

Aliens, Strangers.

by the Master and Wardens of the said crafts, & at none other place or time
or in other maner, vpon paine to forfait all their goods. 21. H. 8. 16. 1. R. 3. 9.

Aliens victuallers may come into þe Realme and sell their victuall.

12. **C** All Aliens being in friendship with the Queene and the Realme, and comming within any Cities or Townes within the Realme, with fish or other victuals, and there carping and returning againe to their owne countries, shalbe vnder the Queenes protection, and it shalbe lawfull to euery of them to cut their fish and victuals in pieces, and by retaille, or in grosse to sell the same. 6. R. 2. 10. And if any man disturbe any Alien to sell his fish in forme aforesayd, he shal forfait x. li. 14. H. 6. 6. See Victuals. 2.

Baker, Wyer, Surgeon, Scriuener, no handicrafts men.

13. **C** No person stranger being a common Baker, Wyer, Surgeon or Scriuener shalbe interpreted a handicrafts man by reason of vsing any of the sayd sciences of Baking, Wyng, Surgerie or witing. 22. H. 8. 13.

Leases of houses to Aliens being not Denizens.

14. **C** All leases of any dwelling house or shop within any the Queenes Dominions, made to any Stranger Artificer or handicrafts man, bozne out of the Queenes obeysance not being Denizen, shalbe voyde. And no stranger Artificer or handicrafts man, bozne out of the Queenes obeysance not being Denizen shal take any lease of any dwelling house or shoppe, within any the Queenes Dominions, vpon paine to forfait for euery time doing contrarie v. li. And no person shal graunt or let to farme, any dwelling house or shoppe to any such Stranger &c. not being Denizen, to the intent to inhabit in the same vpon like paine to forfait v. li. to the Q. and I. to be recouered by A. I. &c. where in no W. &c. C. P. &c. 32. H. 8. 16.

Aliens bound vnto þe lawes of this realme.

15. **C** Euery Alien bozne out of the Queenes obeysance not being Denizen, which now be, or hereafter shall come in or to this Realme, or els where within the Queenes Dominions, shalbe bound by and vnto the lawes and statutes of this Realme, & to all the contents of the same. And all strangers bozne out of her Graces obeysance, which heretofore haue bene made Denizens or that hereafter shalbe made Denizens, shalbe bound and obedient by and vnto all the fofsayd statutes made 1. R. 3. 14. H. 8. & 21. H. 8. and to all the contents of the same, and to all other statutes heretofore made now being in their force, any letters pattenes or ordinaunces heretofore made, or hereafter to be made to the contrary &c. notwithstanding. And also in euery letters patentes of, or for the making of any Denizen, to be made to any stranger, not being bozne vnder the Queenes obeysance, shalbe contained a Proviso, that hee to whom such letters patentes shall be so graunted, shall be bound and obedient by and vnto all the Acts and statutes of this Realme, and to all and euery the contents of the same, except it shall be the Queenes pleasure to graunt to any such Alien, any speciall liberties or priuiledges moze or other wise, then is contained in the sayd statutes. And in that case all such liberties and priuiledges so to be graunted to any such Alien, contrary to the forme of any of the sayd statutes, shall be plainely, wholly and particularly expessed by speciall wordes, as wel in the bill assigned with þe Queenes hand for obtaining of any such graunt, as in the letters patentes to be made

Denizens bound to obey the statutes.

A proviso in patentes made to Denizens.

out

out of the Chauncerie for the same. 32. H. 8. 16.

16 In the foresaid Statutes of 1. R. 3. 14. H. 8. 21. H. 8. 32. H. 8. There be severall ordinaunces for the taking and keeping of Apprentices, Joynemen and servants by Aliens, and of Aliens, but the force of them seemeth to be taken away by the statute made 5. Eliz. 4. which repealeth all statutes before that time made, concerning the hyring, keeping, order &c. of servants, Artificers, Apprentices &c. and the penalties concerning the same, Sed quare.

1 Where an Enquest shalbe de Medietate linguz, an Alien being partie, and where not. S. Jurors. 29. 30. Attaints. 21.

2 That no Alien borne, shall worke vessell made of Tinne or Pewter. S. Pewter. 8.

3 That no Alien shall take a Benefice, nor that any shall occupie it to his vse without the Queenes license. S. Premunire. 2. 4.

4 That Aliens being in amitie with the Queene, may bring in victuals and sell them in grosle, or by retaile. S. Vitailers. 2. Marchants. 1.

5 At what time of the yeece a Marchant Alien may buy wooll. S. Woolles. 6.

6 That no Alien shal force, clak, or beard wooll. S. Woolles. 8.

7 That Aliens borne, whose parents be vnder the Queenes obedience, be inheritable in England. S. Abilitie. 2.

8 In what case Herring may be bought of an Alien, and in what not. S. Fish. 13.

9 That Aliens shall imploy their money here receiued vpon the commodities of this Realme. S. Marchants. 9. 10.

10 That gold or siluer may not be deliuered to any Alien. S. Money. 2.

11 What custome Aliens shal pay for salted fish or Herrings brought into this Realme. S. Fish. 19.

12 A remedy for aliens which be robbed on the sea. S. Safeconducts. 3.

13 That no Alien shall weaue or make any Worsteds, Sayes, or Stamines in great Yarmouth or Linne. S. Worsteds. 7.

Amercement.

NO Citie, Borough or Towne, nor no man shalbe amerced but for reasonable cause, and according to the quantitie of his offence; and a free man sauing his freehold, a Marchant sauing his marchandise, and any other mans villeine (except the Queenes) sauing his villeine Tenure, if he offend the Queene, and none of the sayd ameracements shalbe assessed, but by the othe of honest and lawfull men of the same viceinage, Magna Charta. 9. H. 3. 14. Ch. 1. 3. Ed. 1. 6.

2 Charles and Barons shal not be amerced; but by the Peeres, and a spirituall person shal not be amerced according to his Ecclesiastical liuing, but by his ley fee, and those ameracements shalbe but according to the quantitie of their severall offences, Magna Charta. 9. H. 3. 14.

Apparance.

Apparance. Apparell.

Every that the
plaintiffe offer
red himselfe in
proper person.

If any Philozer, Crigenter, or any other Officer of the Kings bench, or
Common place, doe make any entry in any suite, that the plaintiffe in the
same suite hath offered himselfe in his owne proper person, except the plain-
tiffe in the same suite (before such entry be made) doe appeare in his owne
proper person before some of the Justices of the place where the plea is de-
pending; and there he sworne upon a booke that he is the same person, in
whose name the sayd suite is sued, or that some other credible person of the
Queenes Counsell; will take such othe for him, the sayd Philozer &c. shall
forsaite xl.s. to the Queene every time that he shall be attainted, by examina-
tion of any of the Justices of the same place, wher any such entry or record
is. 10. H. 6. 4. 18. H. 8. 9.

Purpure, Mh.
Cloth of golde
of Tissue,

NO person or persons shall vse or weare in any their apparell, or upon
their Horse, Mule, or other beast, any silke of the colour of Purpure, ne
any cloth of Golde of Tissue, but onely the King, the Queene, the Kings
mother, the Kings children, the Kings brethren and sisters, the Kings uncles
and Aunts (except Dukes and Marqueses, which may may weare in their
doublets and sleeueles coats onely, cloth of gold of Tissue, not exceeding the
piece of v. li. the yarde.) But this worde Purpure doeth not extend to any
Hantell of the order of the Garter. 24. H. 8. 13.

Cloth of golde,
Silver, Tinsel,
Satten, im-
broyderp.
Sables.

2 No man vnder the estate of an Earle, shall weare in his apparell of
his body or upon his Horse, Mule or other beast, or harness of the same beast,
any cloth of gold or silver, or of Tinseld Satten, or any other silke or cloth
mixed or imbroydered with golde or silver, nor any furies of Sables (except
Viscounts and Barons, which may weare in the doublets and sleeueles coats,
cloth of golde, silver or Tinsell.) 24. H. 8. 13.

Wollen cloth
made beyond
the sea.

3 No man vnder the state of a Duke, Marques, Earle, and their chil-
dren, or vnder the degree of a Baron (except he be a Knight of the Garter,) shall
weare in any part of his apparell, any wollen cloth made out of Eng-
land, Ireland, Wales, Calleis, Barwicke, or the Marches of the same, (ex-
cept in bonets onely) nor shall weare in any maner of apparell of his body or
on his Horse, Mule or other beast, or harness of the same beast, any Crimo-
sin, Scarlet, or blew veluet, nor any furies of blake Jeneys or Lucernes,
nor any maner of embrodery. 24. H. 8. 13.

Coloured vel-
uet, furies,
embrodery.
Coller of ss.

4 No man (vlesse he be a Knight) shall weare a Coller of gold, na-
med a Coller of ss. 24. H. 8. 13.

Ornaments of
Golde.

5 No man (vnder the degree of a Barons sonne, or of a Knight,) ex-
cept he may dispens in lands or tenements, rentes, fees, or annuities, to his
owne vse for terme of life, or for terme of another mans life, or in the right of
his wife, two hundred pounds ouer all charges) shall vse or weare any chaine
of Golde, Bracelet, Duch, or other ornament of golde in his owne apparell,
or on his Horse &c. (except such Chaine, Jewell, Duch, or ornament be in
weight

CC. li. in gold

weight one ounce, or about of fine golde; and except Rings of golde, to be worne on their fingers, with stones, or without.) Nor shall weare any Velvet in their Gownes, Coates with sleues, or other uttermost garments, nor any furies of Libardes, nor embroidery, picking or printing with golde, silver, or silke in any part of their apparell, or on their Hoyses, Purses, or other beastes. 24. H. 8. 13.

Velvet, furies, embroidery.

6. ¶ No man under the foresayd estates and degrees, other then such as may dispend clerely in lands & tenements, rentes, fees, or annuities, by some estate of freeholde C. li. a peere, shall weare any Satten, Damaske, Silke, Chamlet, or Tassata in his Gowne, Coate with sleues, or other uttermost garment, nor any Velvet but in sleueles iackets, doublets copfes, partlets, or purses, nor any Furies whereof the like kinde groweth not within England, Ireland, Wales, Callets, Berwicke, or the Marches of the same, (except Foynes, Gray Jenets, and Budge.) 24. H. 8. 13.

C. li. freeholde.

7. ¶ No man under the sayd degrees, other then the sonne and heire apparant of a Knight, or the sonne and heire apparant of a man which may dispend 300. Marks by y^e pere (ouer all charges) or a man which may dispend in lands and tenements, rentes, fees, annuities, or other peerele profite as is aforesayd, xl. li. a peere (about all charges) shall weare in his Gowne or any other his uttermost apparell, any Chamlet or silke, nor in any part of his apparell, any silke other then Satten, Damaske, Tassata, or Sarcenet in his doublets, and Sarcenet, Chamlet, or Tassata in lining of his gownes, and the same of Velvet in his sleueles coates, iackets, terkins, copfes, caps, purses or partlets, (the colours of Scarlet, Crimson and Blew excepted.) Nor shall weare any Furre of Foynes, Gray Jenets, nor any other Furre whereof the like kinde groweth not within England, Ireland, Wales, Callets, Berwicke, or the Marches of the same, (except before excepted.) Nor shall weare any Aglets, Buttons, Bouches of golde or silver, gilt or counterfalte gilt, or made with any other deuise of any waight, nor shall weare any Chaine of gold of lesse waight and value then 7. ounces of Troy weight of fine golde. 24. H. 8. 13.

The sonne and heire of a Knight or of a man which may dispend C. li. xl. li. freeholde.

8. ¶ No man under the sayd degrees (other then such Gentlemen which may dispend in lands &c. as is aforesayd xx. li. a peere ouer all charges) shall weare any maner of silke in any apparell of his body or of his Hoise &c. except it be Satten, Tassata, Sarcenet or Damaske in his doublet or Copfe, and Chamlet in his sleueles iackets, and a lace of silke for his Bonet, or points, laces, girdles, or garters made in England or Wales, or shall weare any Furies of blacke Cony or Budge. 24. H. 8. 13.

xx. li. freehold

9. ¶ No man under the sayd degrees (other then such as may dispend in lands &c. as is aforesayd v. li. a peere about all charges,) shall weare any cloth of the colour of Scarlet, Crimson, or Violet engrained, nor any silke in their doublets or iackets, nor any other cloth in any garment about the price of vi. s. viii. d. the broad yarde, nor any other thing made out of this Realme, except

v. li. freehold,

Apparell.

cept chamblet in their doublets, and iackets. 24. H. 8. 13.

Servicingman,
fl. s. freehold.

10 **C** No Servicingman, nor other Peeman taking wages, or such other as may not dispend fl. s. of free holde by peere, shall weare any cloth in his hose above the price of ii. s. the yarde, nor in his gowne, coate, iacket, or other garment above the price of iii. s. iiii. d. the broad yarde, except it be his Masters liverye, nor shall haue any hose garded or mixt with any other thing that may be seene, on, or through the viter part of his hose, but with the same cloth onely. Nor shall weare any Furre, except blacke or white Lambe, or gray Cony, growing within England, Wales, or Ireland. Nor shall weare any Shirt, or Shirt band, vnder or vpper cap, coiffe, bonnet, or hat, garnished, mixt, made, or wrought with silke, golde, or silver, nor any bonnet, or Shirt band wrought out of England, or Wales, but he may weare a silke ribband for his bonnet, the cognisance or badge of his Lord or Master, and a home tipped or strewed with silver, gilt or ungilt. And all persons may weare on their bonnets, all games of silver gilt or ungilt, which they winne by wrestling, running, shooting, leaping, or casting of the barre, and Masters of Ships or other vessels, and Mariners may weare, whistles of silver, and chaines to hang the same vpon. 24. H. 8. 13.

Games of sil-
uer,
Partners,
Husbandman.

11 **C** No Husbandman shall weare any cloth above the price of ii. s. the yarde in his hose ii. s. viii. d. the broad yarde in his coate or iacket, iiii. s. the broad yarde in his gowne, nor any thing in his doublet then is wrought with in this Realme, (fustian and canuas onely excepted) nor shall weare any furre in any of his apparell. 24. H. 8. 13.

Servants in
Husbandry,
Journeyman.

12 **C** No servant in Husbandry, or Journeyman in Handicraftes taking wages, shall weare any cloth above the price of xvi. d. the yarde in his hose, of ii. s. viii. d. the broad yarde in his gowne, iacket or coate, nor in his doublet any other thing then fustian, canuas, leather, or wollen cloth, nor shall weare any Furre in any of his apparell. 24. H. 8. 13.

The Clergie.

13 **C** None of the Clergie vnder the dignitie of a Bpshopp, shall weare in any part of their apparel of their bodies or on their horses any stuffe wrought out of England, Ireland, Wales, Calles, Berwicke or the Marches of the same, except that it shall be lawfull to all Archdeacons, Deanes, Priouosts, Masters, and Wardens of Cathedral and Collegiat Churches, Prebendaries, Doctors, or Bachelers in Diuinitie, Doctors of the one lawe or the other, and Doctors of other Sciences, which haue taken that degree, or be admitted in any Vniuersitie, to weare Sarcenet in the lining of their gownes, blacke Satten or blacke chamlet in their doublets, and sleeuelesse coates, and blacke Veluet, or blacke Sarcenet, or blacke Satten in their tip-pets and riding hoodes, or girdles. And also cloth of the colours of Scarlet, Purpure or Violet, or Furses called Gray, blacke Budge, Foynes, Shanks or Minuer, in their gownes and sleeuelesse coates. 24. H. 8. 13.

The Clergie.

14 **C** None of the Clergie vnder the degrees aforesayd, shall weare any manner of furses, other then blacke Cony, gray Cony, Budge, Shanks, Cal-laber,

laber, Gray, Fich, Fore, Lambe, Otter, and Beuer. Nor any Sarcenet or other silke in their Tippetts, except he be a Master of Arte, a Bachelor of the one Lawe or other, admitted in any Uniuersitie, or such other of the sayd Clergie, as may dispensd yeerely xx. li. about all charges. 24. H. 8. 13.

15 ¶ If any man vse or weare any apparell, or other the premisses contrary to the tenor and forme aforesayd, then he shal forfeit the same so by him vsed or woꝛne vpon his person, horse, mule, or other beast, or the value therof, and also iii. s. iiii. d. in the name of a fine for euery day that he shall so weare the same, to the Queene and J. R. And euery man that will, may lawfully sue for the same by accion of Detinue, to be commenced within xv. dayes next after the beginning of the Terme next ensuing such cause of forfe. where in no W. R. C. or P. R. 24. H. 8. 13.

The forfeiture

16 ¶ All such Officers and seruants waiting or attending vpon the Queene daily, yeerely or quarterly in her household, or being in her Eschequer rolle, as shalbe admitted, assigned, and licenced by her Grace to vse or weare any maner apparell on their bodies, horses, &c. (other wise then is before expressed) shal lawfully doe the same, according to the license given vnto them in that behalfe, the same license to be declared in writing by the Queene, or the Lord Steward of her household, or the Lord Chamberlaine, knowing the Queenes pleasure in the same. And the Lord Chancellor, the Lord Treasurer, the President of the Queenes Counsel, and the Lord Priuy Seale for the time being, of what estate or degree soeuer they be besides those roomes, may weare in their apparell, Veluet, Satten, and other likes of any colour (except Purpure) and any maner of Furses (except blacke Teneys.) And this Acte shall not extend nor be prejudiciall to any of the Queenes Counsell, ne to Iustices of the one Bench or the other, the Barons of the Eschequer, the Master of the Rolles, Sericants at law, the Masters of the Chancerie, Apprentices of the Lawe, the Queenes Physicians, Physicians, Recorders, Aldermen, Sherifes, Baylifes elect, and all other head Officers of Cities, Townes, and Boroughs corporat, Wardens of Occupations, the Barons of the shire Iudges, that is to say, to all the sayd Officers, and persons that now be, or heretofore haue bene in like roome, place, office, or authoritie, or hereafter for the time shall be, as well in the time, as after that they haue bene in any such place, office, roome, or authoritie, but that they shall at all times weare all such apparell in and vpon their bodies, horses &c. And also Citizens and Burgesles, shall now weare such hoodes of cloth and of such colours, as they haue heretofore vsed to weare (except it shall not be lawfull to any of them to weare Veluet, Damaske or Satten, of the colours of Erinson, Violet, Purpure, or Blewe, other wise then by the content of this Acte in any of the clauses before mentioned, is by reason of their landes, or other wise permitted, limited or assigned.) Ne shall this Acte extend to Ambassadors or other personages sent from outwarde Princes, or to Noble men, or other coming into the Queenes

Certaine persons excepted and permitted to weare apparell, to others forbidden.

of the shire
of the shire
of the shire

Realme or other part of her obeyſance, to viſite, ſce, or ſalute her Grace, or to ſee the countrey, and not minded to make long or continuall demurre in the ſame. He to any Benchman, Herauld, or Purſeuant at Armes, Minſters, Players in Enterludes, Sighthes, Reuels, Juſtes, Turneis, Barricers, ſolemne Matches, or other Partiall ſeates or diſguiſing, or to men of Warre, being in the Queenes wages of warre. Nor to any man for wearing any apparell giuen vnto him by the Queene, nor to any Swordbearer of any Cite, Borough or Towne corporat. Nor ſhall extend to any Uterbarreſter of any of the Innes of Court, for wearing in any of his apparell ſuch Silke and Furres, as is before limited, for men that may diſpend in land, reuues, &c. for terme of life xx.li. ouer all charges. Nor to any other Student of the Innes of the Court or Chauncery, nor to any Gentleman being ſeruant to any Lord, Knight, Eſquire or Gentleman of this Realme, whoſe Maſter may diſpend xlii. ouer all charges, for wearing by ſuch Student or Gentleman being ſeruant, of doublets and partlets of Satten, Damaske, or Chamlet, or Jackets of Chamlet, which be giuen vnto them, by any of their parents, maſters or kinſfolkes, (ſo alwayes that they be not of the colours of Crimſon, Purpure, Scarlet, or blew) or for wearing of any Furres, whereof the like groweth within this Realme, Wales, or Ireland (Partins and blacke Cony except.) Nor ſhall be preiudiciall to any Spirituall or Temporal person, for the wearing any ornaments of the Church, vſed for executing Diuine Seruite, or for wearing their Amides, Mantels, Habices or garments of Religion, or other things, which they be vſed or bound vnto by their rooues, promotions, or Religions. He to any Graduates, Beadles, or miniſters to the Graduates in Vniuerſities and Schooles, for wearing of their Habices or Hoodes with Furres, Linings or other wiſe, after ſuch forme as heretofore they haue bene accuſtomed to doe. Nor to any perſon for wearing of any linnen cloth made or wrought out of the Queenes obeyſance. He to any perſon being of the degree of a Gentleman, for wearing of any Shirt, made, wrought or embroidered with thread and Silke onely, ſo the ſame worke or embroidery be made within this Realme of England, Wales, Calles, Berwicke, or the Marches. 24. H. 8. 13.

These onely be allowed to weare ſilke.

17. **N**o perſon borne within this Realme or the Dominions of the ſame, ſhall weare any maner of Silke in or vpon his Hat, Bonet, Nightcap, Circle, Seaberd, Hoſe, Shoes, or Spurre leathers, vpon paine of three moneths impriſonment, and forſaite of ten pound for euery dayes wearing, except he be the ſonne and heire of a Knight, or of or aboue the degree of a Knights ſonne or daughter, or wiſe to any of them, or may diſpend xx. pound by the yeere, in lands, offices, fees, or other preerely reuenues for the terme of life, or be worth in goods two hundred pound. And except them which haue bene, be, or ſhall be Mayor, Bailiffe, Alderman or head Officer, in any Cite, Borough, or Towne corporat, & their wiues, and the Queenes ſeruants

Seruaunts in ordinarie wages attendant and wearing the Queenes ordinarie liueries, and women which may weare in their Cappes, Hats, Girdles, and Hoodes, as they might vse and weare lawfully before the making of this Act. 1. and 2. P. & P. 2.

18 ¶ If any person knowing his seruant to offend contrary to the statute, doe not put him forth of his seruice within xiiii. dayes next after such knowledge had (except he be his Apprentice or hired seruant, which hee may keepe to the ende of his terme) or els being put forth of his seruice doe retaine him againe within one yeere next after the offence, he shall forfeit for euery such offence C. li. to the Queene and In. to be recovered by A. T. &c. wherein no W. &c. E. or P. &c. 1. and 2. P. and P. 2. See Corporation. 8. Iustice of peace. 42. maineprise 11.

1 Where the wiues apparell doeth enforce the husband to keepe any Horſe or Armour. S. Armour. 3. Horses. 11.

2 Who may weare any Veluet Cap, or Veluet Hat, and who not. S. Hattes.

Appeales and Prouocations.

In such cases where heretofore any of the Queenes subiects or resiants haue vsed to pursue, prouoke, or procure any apptale to the Sea of Rome, and in all other cases of Appeales, in or for any causes testamentarie, causes of Patrimonie, and diuorces, rightes of Tithes, oblations and obuentions, they may and shal take, haue & vse their appeales within this Realme and not els where, in maner and forme ensuing, and not other wise, that is to say, first from the Archdeacon or his Officiall, if the matter or cause be there begunne, to the Bpshopp Diocesane of the sayd Sea, if in case any of the parties be grieved. 24. P. 8. 12. 1. Eliz. 1.

2 ¶ And if it be commenced before the Bpshopp Diocesane or his Commissarie, from the Bpshopp Diocesane, or his Commissarie, within xv. dayes next ensuing the iudgement or sentence thereof there giuen, to the Archbysshop of the Prouince of Canterburie, if it be within his Prouince: And if it be within the Prouince of Yorke, then to the Archbysshop of Yorke, and so likewise to all other Archbysshops in other the Queenes Dominions, as the case by order of Iustice shall require, and there to bee definitiuelly and finally decreed and adiudged according to Iustice, without any other appellation or prouocation to any other person or persons, Court or Courtes. 24. P. 8. 12. 1. Eliz. 1.

3 ¶ And if the matter or contention, for any of the causes aforesayd, be or shalbe commenced by any of the Queenes subiects or resiants, before the Archdeacon of any Archbysshoppe or his Commissarie, then the partie grieved shall or may take his Appeale within xv. dayes next after Sentence there giuen to the Court of the Arches or Audience of the same Archbysshop, and from the sayd Court of the Arches or Audience within xv. dayes then next ensuing, after iudgement or Sentence there giuen to the Archbysshop

The Master shall put his seruant offending, forth of seruice.

Superfluous.

Appeales from the Archdeacon or his Officiall.

Appeales from the Bpshopp or his Commissarie.

Appeales from the Archdeacon or his Archbysshop.

Appeales and Prouocations.

byshop of the same Prouince, there to be definitiue and finally determined, without any other pprocess or appeale thereupon to be had or sued. 24. H. 8. 12. 1. Cl. 1.

Causes commenced before an Archbyschop

4 ¶ Every matter, cause and contention that shalbe commenced by any of the Queenes subiects or restants, for any of the causes aforesaid, before any of the sayd Archbyschops, shalbe before the same Archbyschop definitiue determined, decreed, or adiudged, without any other Appeale, Prouocation or foraine Proces out of this Realme, to be sued, to the let, or derogation of the sayd iudgement &c. otherwise then is by this Act limited and appointed. Saving alwayes the prerogative of the Archbyschop & Church of Canturbury in all the foresaid cases of appeales to him, and to his successors, to be sued within this Realme, in such wise as they haue bene accustomed to haue heretofore. 24. H. 8. 12. 1. Cl. 1.

The prerogative of the Archbyschop of Canturburie.

Appeales from the Archbyschops Court into the Chancery.

5 ¶ For lacke of Justice at or in any the Courts of the Archbyschops of this Realme, or in any the Queenes Dominions, it shalbe lawfull to the parties griued, to appeale to the Queenes Maiestie in her Court of Chancery, and vpon euery such appeale, a Commission shalbe directed vnder the great Seale to such persons as shalbe named by the Queenes highnesse, her heires or successors (like as in case of appeale from the Admirals Court) to heare & definitiue determine such appeales, & the causes concerning the same, which Commissioners shall haue full power to heare, and definitiue determine euery such appeale with the causes and all circumstances concerning the same. And such Iudgement and sentence as the sayd Commissioners shal make and decree in and vpon any such appeale, shalbe good and effectual and also definitiue, and no further appeales shalbe had or made from the sayd Commissioners for the same. An. 25. H. 8. 19. 1. Cl. 1.

Appeales in causes touching the Queenes.

6 ¶ And in case any cause, matter or contention, for the causes before rehearsed, or any of them shall come in contention for any of the same causes, in any of the aforesayd Courts, which hath, doeth, shall or may touch the Queenes heires or successors, Kings or Queenes of this Realme, then the partie griued shall or may appeale from any of the sayd Courtes of this Realme, where the sayd matter shall happen to be ventilat, commenced or begun, to the Spirituall Prelates of the Upper house assembled by the Queenes writ in the Conuocation being, or next ensuing within the Prouince or Prouinces, where the same matter of contention shall be begun, so that euery such appeale be taken by the partie griued, within x. dayes next after the Iudgement or sentence thereupon giuen. And whatsoever shall be done, affirmed, determined, decreed and adiudged by the foresayd Prelates of the upper house of the sayd Conuocation, concerning or belonging to the Queen, her heires and successors in any of the foresaid causes of appeales, shal stand and be taken for a finall sentence, iudgement, & determination, and the same matter so determined neuer after shall come in question and debate to be examined in any other Court. 24. H. 8. 12. 1. Cl. 1.

7 **I**f it shal happen any person to pursue or prouoke any appeale contrary to the effect of this act, or refuse to obey, execute and obserue all things compassed within the same, concerning the sayd appeales, prouocations, and other foireine proces to be sued out of this Realme, for any the causes aforesayd, then he, his procurours, fautors, aduocates, counsellors and abettours, and euery of them shal incurre into the penalties ordeined in the statute of Premunire made 16.R.2. and with like proces to be made against the sayd offendours as in the same statute appeareth. 24.H.8. 12.25.H.8. 19.1.E1.1.S.25.H.8.19. that if any person prouoke or sue any manner of appeales of what nature or condition soeuer they be, to the Byshop or Sea of Rome, or doe procure or execute any proces from the Sea of Rome, or by authoritie thereof, to the derogation or let of the due execution of the foresayd statute, then he, his counsellours &c. shal incurre into the penalties ordeined in the statute of Premunire, made 16.Rich.2. But by the statute of 13.E1.2. the getting of any Bull, writing or instrument whatsoever from Rome, containing any matter or cause whatsoever, is high Treason. See Rome.2.

Punishment
of the offendour

S. Premunire
re.5.

Appeales to
Rome.

8 **E**uery such Iudgement and sentence definitiue as shalbe giuen, or pronounced in any ciuill or marine cause, vpon appeale lawfully to be made therein, to the Queene in her Court of Chauncery by such Commissioners or Delegates as shalbe appointed by her Maiestie, her heyres or successors by Commission vnder the halfe seale, as it hath bene vsed in such cases, shal be finall, and no further appeale shalbe had or made from the sayd Iudgement or sentence definitiue, or from the sayd Commissioners or Delegates, for, or in the same. 8.E1.3.5.

Appeales in
ciuill or marine
causes.

1 **T**hat euery Ecclesiasticall Iudge shal award costes to the other partie vpon Appeale made in any suite for subtraction of Tythes or offerings. See Tythes.21.

Appeales of Felony.

All Appeales of things committed within the Realme shal be tryed and determined by the Lawes of the Realme: And of things committed out of the Realme, before the Constable and Marshall of England. And no Appeale shal be pursued in the Parliament, 1.H.4.14. But all Treasons, and misprision of Treason committed out of this Realme, shal be tryed in the Kings Bench or in such Countie of this Realme as the Queene by Commission shal assigne. 26.H.8.13.35.H.8.2.5.Ed.6. 11. See Treason.10.

In what places
Appeales
shalbe pursued

2 **I**f the Appellant in Appeale doe declare the deede, the peere, the day, the houre, the time of the King, and the Towne where the deede was done, and with what weapon he was slaine, & Appeale shal stand in effect: And the Appeale shal not be abated for default of Fresh suite, where a man doeth sue within the peere and the day after the deede. Glo.6.Ed.1.9.

The declarati-
on in Appeale
of Murder.
Within what
time an appeal
of murder shal
be comenced.

Dalli.

3 **C**Ro.

Appeales of felony.

**Exigent in ap-
peale against
the principall
& accessary.**

3 **N**o person shalbe outlawed for appeale of commaunderment, force, apde, or receipt, vntil the Principall be attainted by Uclarie, or in other manner. But the Appelloz shall not let to attach his appeale at the next Countie, aswel against the Accessorie as against the Principall. But the Exigent against the Accessorie shal stay, vntill the Principall be attainted by Uclawp or other wise. Westm. 1. 3. Ed. 1. 14. And if any be appealed of an Act done as Principall, they that be appealed as accessaries shalbe attached, and surely kept, vntil the Principall be attainted, Officiu. Coronatoris. 3. Ed. 1.

**Appeale of a
woman.**

4 **N**one shalbe taken or imprisoned by the appeale of any woman for the death of any other then of her husband, Magna Charta. 9. P. 3. 34.

**The appeller
being acquitted
the appellant
and abbettoys
shalbe puni-
shed.**

5 **W**hen any appealed of Felonie doeth acquit himselfe in þ Queenes Court in due maner, at the suite of the appellant, or the Queene, the Justices before whom the appeale shalbe heard and determined, shall punish the appellant by a peeres imprisonment, and neuertheless such Appellant shall yeeld to the Appellee damages by the Justices discretion, hauing respect to the imprisonment or arrest that the partie hath sustained by reason of such appeale, and to the slander which he hath receiued, and also he shall pay a grievous amercement to the Queene. And if the Appelloz be not sufficient to answer damages, enquirie shall be made by whose abbtment the appeale was maliciously commenced, if the Appellee desire it. And if it be found by the same inquest, that any man is abbtour through malice, hee shall be distrained by a Iudiciall writ at the Appellees suite, to appeare before the Justices, and if he be lawfully convicted of such abbtment by malice, he shalbe imprisoned and restore damages, as is aforesayd of the Appellant. Westm. 2. 13. Ed. 1. 12. And any person indicted or appealed of felony or Treason in a foreine Countie, shall in an accion vpon the case, recouer treble dammages against every procurer of such indictment or appeale, after he is duely acquitted by Verdict, and like proces shall be in the same as in an accion of Trespasse, vi et Armis. 8. P. 6. 10. See Coroners 7. 8.

**Procurors of
appeale in a
foreine Coun-
tie.**

1 Within what time and before whom an appeale of Murder shalbe cominenced, S. Murder 4.

2 Howe the defendant in appeale of Maim shall be vsed S. Coroners 8.

3 That appeale of Murder may be commenced in one Countie of the death of any person stricken or poysoned in an other Countie. S. Trial 1.

4 In what case appeale of Murder may be commenced against a man arraigned at the Queenes suite. S. Murder, 3.

5 Appeale against any person dwelling in a forreine Countie. S. Indictments. 3. Triall. 1.

Approuers.

**Appeales by
Approuers.**

Whosoeuer shalbe appealed by any approuers remaining in þ gaols, which the Justices of gaole deliuerie shall deliuer, in what place soeuer

soeuer of the Realme the persons appealed shall remaine, immediately the Sherife of that Countie where such persons appealed be couersant or may be found, shalbe commanded by the Queenes writs vnder the testimonie of the same Iustices, that he shall take those persons appealed, & conuey them to the gaole where the approuers by whose appeale they be apprehended, be imprisoned, and the Sherife or Gaoler of that prison shall receiue them, and there they shall answer before the same Iustices. And if they put themselves vpon the Countrey, the Iustices shall send by a Iudiciall writ to the Sherife of the Countie where the felony was committed, that he shall returne an Enquest before them at the place where the approuers do remaine. Stat. de appellatis. 28. Ed. 1.

1 That it is felony for a Gaoler to cause a prisoner to become an approuer. S. Prisoners. 9. Felony 17.

Approuements.

The Lordes of wastes, woods and pastures (which haue enfeofed their freeholders of small tenements within their great maners) may approue of the same wastes, woodes, and pastures, notwithstanding the contradiction of their tenants, so that the same tenants may haue sufficient pasture vnto their tenements with free ingresse and regresse to the same. Merton. 20. Hen. 3. 4.

Lordes may approue against their tenants.

2 The foresaid statute provided betwixt the Lord and his tenants, shal take place betwixt the lordes of wastes, woods and pastures, and their neighbours, so that the Lordes leauing sufficient pasture to their men & neighbors, may approue the residue. And this shalbe obserued of them which claime pasture pertaining to their freehold. But if a man claime common of pasture by a speciall feoffment or graunt for a certaine number of cattell, or by any other meanes, then by common right (seeing couenant doth abrogate Law) he shall recouer his owne according to the graunt. West. 2. 13. Ed. 1. 46.

Lordes may approue against their neighbours.

Common in gross.

3 And if such tenants or neighbours doe bring an assise of common of pasture, if it be found before the Iustices that they haue as much pasture as is sufficient for their tenements, and that they haue sufficient ingresse and regresse from their tenements vnto their said pasture, they shall hold themselves contented, and their lordes of whom they complained shalbe quiet, and make their commoditie of the residue. But if it be found that their ingresse and regresse were any thing hindred by the deforcours, or that they had not sufficient pasture, then they shall recouer their seison by view of the Jurors, so that by their discretion, and othe, they shal haue sufficient pasture, ingresse and regresse, and the disseisors shall be amerced, and render damniages. 20. Hen. 3. 4. 13. Ed. 1. 46.

Approuement leauing sufficient common and passage.

4 By occasion of a Windmill, sheepe house, Dairie, augmentation of a necessary Court, or Curtilage; no man shalbe grieved by Assise of common pasture. West. 2. 13. Ed. 1. 46.

A windmill, sheepehouse, court, dairie &c. may be approued.

5 All such person and persons which shall bring Assise vpon any branch

treble damages.

Treble dam-
mages.

Ditch or hedge
of ground ap-
proued throw-
en downe.

Houses with
grounds un-
der three acres

Gardens, Or-
chards, ponds

All men within
xx. yeeres of age
shall shoote.

Spent children
betwixt vii.
yeeres and xliii.

Men betwixt
xvii. & xl. yeeres
of age.

Shooting at
towers.

branch or article of any of the foresaid statutes, and haue iudgement to reco-
uer, shal haue his or their damages trebled by the iudgement of the Court,
where such assise and iudgement shalbe had. 3. Ed. 6. 3.

6 ¶ If a Ditch or Hedge (made by any person that hath authoritie to
approue,) be in the night or otherwise priuily throwne downe, and it cannot
be knowne by the verdict of the Assise or Jury who did it, nor the inhabitants
of the next Townes will accuse them that be guiltie, the Townes next there-
about adioyning shalbe distrained to leuise the Hedge or Ditch at their owne
charges, and also to render damage. West. 2. 13. Ed. 1. 46.

7 ¶ The foresaid two statutes made 20. Hen. 3. and 13. Ed. 1. nor any
thing in any of them conteyned, shall extend to any houses with ground buil-
ded vpon commons or waste grounds (besore 4. Nouemb. An. 1549.) with
ground vnder the quantitie of thre acres and not aboue, inclosed to & with
the same. Nor to any Garden, Orchard, or Pond inclosed besore the said day,
out of, or in such wastes or ground which excede not the quantitie of two a-
cres, nor shall cause any person to lose any penaltrie for the same. But if any
such house hath bin besore the said day builded vpon any such wast ground,
and that there be about thre acres inclosed to the same, then the said house
and thre acres parcell of the same inclosure shal still continue, and the ouer-
plus of the said thre acres shall and may be laid open by the owner of the
same wastes. 3. Ed. 6. 3.

Archerie.

¶ Every man being the Queenes subiect not lame, decrepit, maymed, nor
E hauing any other lawfull or reasonable cause or impediment, being
within the age of thre score yeeres (except spirituall men, Iustices of the
one bench and of the other, Iustices of Assise, and Barons of the Eschequer)
shall exercise shooting in long bowes, and also haue a Bowe and Arrowes
continually in his house, to vse, and doe vse himselfe in shooting, and euery
father, ruler and gouernour, shall bying by those which be in his house of ten-
der age in knowledge of shooting: 33. Hen. 8. 9.

2 ¶ If any man suffer any man child being his sonne or man seruante
taking wages, betwixt the age of seuen yeeres, and seuentene, to remaine in
his house without a Bow and two Arrowes, by the space of one moneth to-
gether, then the master or father shal forfeite for euery default vi. s. viii. d. If
the said seruant take wages, the master may buy the said Bow & Arrowes
and abate him of his wages. 33. Hen. 8. 9.

3 ¶ If any seruant taking wages, and able to shoote, being betwixt the
age of seuentene yeeres and threescore, lacke a Bowe and foure Arrowes
by the space of one moneth together, he shall forfeite for euery such default
vi. s. viii. d. 33. Hen. 8. 9.

4 ¶ If any vnder the age of xliiii. yeeres shall shoote at any standing
pycke, except it be at a tower, wheras he shal change his marke euery shoote,
he shall forfeite for euery shoote doing the contrary, iiii. d. 33. Hen. 8. 9.

5 ¶ If

5 **I**f any above the age of xxiii. yeeres doe shoote at any marke of xi. scope pades or vnder, with any pichelshaft, or flighe, he shal forfeite for every shoote vi. s. viii. d. 33. 8. 9.

Shooting & running shafts.

6 **N**o stranger borne out of the Queenes obeyfance not being Denizen, shal conuey or doe to be conueyed, giue, sell, or exchange into any parts out of the Queenes obeyfance any long Bowes, Arrowes or Shafts, without the Queenes speciall licence, vpon paine of forfeiture of the same, wherefoeuer they shall be taken, or the value thereof within the Queenes power, and vpon paine of imprisonment without baile or mainprise, vntill such time as he so being in ward, hath made a reasonable fine to the Queene for his offence before the Iustices of peace, or two of them in their Sessions in the same Countie where he shall be committed to ward, or finde sufficient suertie for the payment of the same fine. 33. Hen. 8. 9.

Strangers shall not conuey bowes or shafts beyond the Sea.

7 **N**o person not being borne within the Queenes obeyfance not made Denizen, shall vse within the Queenes obeyfance shooting with long Bowes without the Queenes licence, vpon paine of forfeiture of such Bowes, Arrowes and Shafts, as they shalbe found so shooting with. And euery of the Queenes subiects haue authoritie to take and seise the same forfeitures to his owne vse. 33. Hen. 8. 9.

No alien shall vie shooting.

8 **I**f any Bowyer, Fletcher, Stringer, or Arrowhead maker, repairing to the Cities or Suburbes of London, and there making his dwelling and abiding, being not a free man of the said Citie, neither bearing scot nor lot within the same Citie, shall refuse to depart from the said Citie, Suburbes streetes, lanes, and places neere the same, to go and inhabit such other Citie, Borough or Towne of the Realme of England as is destitute of such Artificers, and there to exercise his craft and facultie for the maintenance of Artillery, whensoever warning shalbe to him giuen by the Queenes honorable Counsell, the Lord Chauncelour of England, the Lord Treasourer, Lord priuie seale, or one of them, then he so refusing shal forfeite for euery day that he shal make his abode contrarie. 1. r. s. 33. H. 8. 9. S. Iustices of peace. 63.

Bowyers and fletchers of London being commaunded shall dwell els where.

Who shall haue the forfeitures giuen by this statute, & within what time the suite must be commenced. S. playes 7. and Actions popular. 11.

Armour.

Annuities, fees, or copyholds of estate of inheritance or for life, vnder xxx. li. shall not be charged, and being about xxx. li. shall be charged according to the rate of goods. But no man shalbe charged both for his landes and also for his goods, annuities, &c. 4. and 5. H. 8. and H. 2.

Annuities, fees, copyholds, howe farre charged.

2 **E**uery person temporall (being of full age, and not in ward) whose landes amount to the yeerely value of C. li. shall keepe a gelding meete for a light horseman, with sufficient harnesse & weapon for the same, whose wife (being not diuorced, nor willingly absenting her selfe from him) doeth weare any Gowne or Petticoate of Silke, or any Veluet in her Kertle or in the lining or other part of her Gowne, (other then in the Cuffes or Purples)

Armour by reason of the wives apparel.

Armour.

or any French Hode, or Bonet of Veluet, with an Abilement, Paffe, or edge of golde, pearle or stone, or any chaine of gold about her necke, or in her paret, or any other her apparell, (except he be charged by any other branch of this statute to keepe any Horse, or Holding in such maner as every temporary person having lands &c. of the yearly value of £. markes, is by this act charged to maintaine.) 33. Hen. 8. 5. 4. and 5. P. & P. See Horses 11.

For Horses or Geldings, Demilaunces with Armour for them, whereof the one halfe shall be Horses at the least with furniture.	Light Horses with their furniture of harness & weapons.	Corselets furnished.	Almain Pykes, Rivers, Place Coates, Brigandines, or Corselets furnished.	Long Bowes.	Sheafs of Arrows.	Steele Capps or Sculls.	Blacke Billes or Halberds.	Harquebuts.	Moriens or Sallets.
--	---	----------------------	--	-------------	-------------------	-------------------------	----------------------------	-------------	---------------------

Every person temporary shall keepe &c. which hath estate of inheritance or freehold in lands &c.

1000. li. 6.	10	40	40	40	30	30	30	20	10	20
1000. markes 4.	6	30	30	30	20	20	20	10	10	10
400. li. 2.	4	20	20	20	15	15	15	6	6	6
200. li. 1.	2	10	10	10	8	8	8	3	3	3
100. li.	2	3	3	3	3	3	3	2	2	2
100. markes	1	2	2	2	2	2	2	1	1	1
40. li.		2	2	2	1	1	1	2	2	2
20. li.		1		1	1	1	1	1	1	1
10. li.			1		1	1	1	1	1	1
5. li.			1		1	1	1			

Goods.

1000. mar. 1. or 18. Corselets furnished.	1	2	2	2	4	4	4		3	3
400. li. 10. Corselet.		1	2	1	2	2	2		1	
200. li.		1	2	1	2	2	2		1	1
100. li.		1	2	1	2	2	2			
40. li.			2		1	1	1			
20. li.			1		2	2	2			
10. li.						1	1			

Penalties for not having within 3. moneths forfeited to the Queene and Infanter, to be recovered by 25. P. 3. to prevent the C. W. C. P. 36. 4. 5. P. 3. 2. 2.

10. li. the Hoyle 3. li. the Deunt lance and furniture 3. li.	10. li. the Hoyle 3. li. the Deunt lance and furniture 3. li.	10. s.	20. s.	10. s.	10. s.	10. s.	10. s.	10. s.	10. s.
---	---	--------	--------	--------	--------	--------	--------	--------	--------

With what armorie Townes shall be charged.

3 The inhabitants of every Citty, Borough, Towne, Parish, and Hamlet within this Realme, (other then such as are specially charged before in this Act) shall have, finde, keepe sustaine and maintaine at their common charges and expences such Varnets and Weapon, and as much thereof,

of, as shall be appointed by the Commissioners of our Soueraigne Lady the Queene, her heires and successors, for the musters, or view of Armour, within such Citie, Borough &c. there to be kept in such place, as by the said Commissioners shall be appointed. And the numbers and kindes thereof shall be written in a paire of Indentures, to be made betweene the said Commissioners, or two of them at the least, and twelve, eight, or foure of the chiefe of every such Citie, Borough &c. whereof one part shall remaine with the chiefe Officer of y^e same Citie, Borough &c. and the other with the Clerke of the Peace of the Shire or Countie, where euer such Citie, Borough &c. shall stand or be. And if the inhabitants of every such Citie, Borough &c. other then such as are specially (as is aforesaid) charged, shall lacke or want such Harnesse, or Weapons, or any part thereof, as shalbe vnto the appointed by the said Commissioners for the musters, or view of Armour, (as is aforesaid) by the space of any three moneths together, next after any such appointment made, then the same inhabitants shall forfait for every the said three moneths for every such Harnesse or Weapons so lacking, after the rate aboue limited to the Queene and Informer, to be recovered in any of the Queenes Courts of Record, by B. P. A. or J. wherein no W. E. or P. &c. And the Lord Chauncelour of England for the time being, shall haue authoritie by vertue of this Act, from time to time to graunt out commissions vnder the great Seale, to the Iustices of peace within every Shire or Countie of this Realme, or to so many of them as by his discretion shall be thought conuenient, for the appointing and limiting of the said Harnesse and Weapons, to be found, kept and maintained in every such Citie, Borough &c. at the common charges of the inhabitants thereof, as is aforesaid. And the Lord Chauncelour of England, or keeper of the great Seale for the time being, shall and may from time to time by vertue of the Queenes commission, name, assigne and appoint Commissioners in every Citie, Borough and Towne corporat, wherein there be Iustices of the Peace, as well in England, as in Wales, so many of the same Iustices of Peace with such and as many other persons to be toynd with them, dwelling out of the said Cities, Boroughs &c. as he or they shall thinke meete to take view of Armour in every of the same Cities, Boroughs &c. according to this present Act, and also to assigne what Harnesse and Armour shall be provided and kept by the inhabitants of every such Citie, Borough, and Towne corporat (as is aforesaid) according to this present Act. 4. and 5. Phil. and Mar. 2.

4. **C** If any person aforesaid, being impeached for any forfeiture, for not having or keeping such furniture of Carabets, Pykes, Harquebuses, or Murrians as is aboue limited, dooth plead that the same furniture could not be provided for want of the same within this Realme, the same matter of want and lacke shall be allowed a good and sufficient answer and barre in the lawe, if it be true: but if it be denied or trauesed, thereupon an issue shalbe

If the def. doo
plead that the
same furniture
could not be gotten

Armour.

shalbe loyued and tryed onely by the certificate of the Lordes Chauncelour, Treasourer, President of the Counsel, Steward of the Queenes household, private Seale, Admirall, and the Lord Chamberlaine of the Queenes household, or three of them in writing under their seales &c. 4. and 5. P. and Q. 2.

If the armour of horse be lost in service.

5 If it shal fortune the furniture of armour aforesaid, or any part thereof to be lost or spent in any service of defence of this Realme, or els the Possessors or Selvinges aforesaid to be killed or destroyed, or by some other occasion to be dead, then no person shalbe charged with any forfeiture aforesaid, for not having such quantitie or number of Armour, Posses or Selvinges as is aforesaid, so that he within one yeere next after such losse, do supplie the same againe in al pointes according to the true meaning of this Act. But the want of any gauntlet or gaunletes, shal not be accompted for any lacke of furniture for a Colliet. 4. and 5. P. and Q. 2.

The want of a gauntlet.

Inhabitants in Wales, Tankeshire, Cheshire.

6 This Act shal not charge any person abiding within the Countie of Northwales, Southwales, the Countie Palatine of Lancaster, or Cheshire, with the finding of any Harquebut: But euery of them may keepe in stead thereof one long Bowe and one Sheafe of Arrows, besides such other Armour and Munition as is by the lawes of this Realme appointed, 4. and 5. P. and Q. 2.

None shalbe twice troubled for one offence.

7 If any person shalbe convicted by vertue of this Act for any default mentioned in this Act, he shal not felonies be troubled for the same. And no person shal be impeached for any offence done contrary to this Act, vnieste presentment or suite thereof be made within one yeere next after the offence done. 4. and 5. P. and Q. 2.

Presentment within p. pere.

It doth not discharge other mens service. No weapons or armour carried in Wales, to any assizes, etc.

8 This Act shal not discharge any tenant or farmer of his service or covenant toward his Lord, for the finding of Horse, Armour, or Weapon, or for doing of service by himselfe, or any other, which by the tenure of his land or farme he is bound to doe, at the time of the making of this Act. 4. and 5. P. and Q. 2. S. Iustices of peace. 25.

9 No person resident within Wales or the lordships marchers, shal bring to any Sessions, Towne, Church, Faire or Market (except it be by order a huy or outcry of felony or robbetrie) any weapon, private robe, or armour defensible, upon paine of forfeit, of the same, & of imprisonment, and fine at the discretion of the Commissioners of the marches, except it be by the commandment, licence or assent of some officer &c. 26. P. 8. 6. S. Wales 103.

No man shall come armed before the Justices, nor goe with arms.

10 No man shall come before the Queenes Iustices or other officers in doing their offices, with force and armes, nor shal bring any force in assay of the peace, nor shal goe or ride armed by day or by night, nor wear a sallet, skull of pyon, or other armour, upon paine to forfeite to the Queene his armour, and his body to be imprisoned at the Queenes pleasure; except the Queenes Iustices in her presence; and her officers in doing her precepts or their offices, or such as be in their company assisting them; or upon a rpe made for armes to keepe the peace in such places where such things happen.

And

And the Queenes Justices in their p'tinets, Sherifes and other Officers of the Queene within their Bailiwkes, lordes of Franchises and their Bailiffes thereof, and Mayors and Bailiffes of Cities and Boroughs within the same Cities and Boroughs, and Boroughholders, Constables and Wardens of the peace within their Wardes, have power to put this statute of 2. Ed. 2. in execution. And the Justices assigned, at their coming into the Countrey, have power to inquire howe such officers and lordes have used their offices in this case, and to punish those which they finde have not done that which belongeth to their offices. 2. Ed. 2. c. 12. 12. 7. R. 2. 13. 20. R. 2. 1.

11. ¶ No servant in husbandry, or labourer, nor servant of Artificer or vitailer, shall beare any Buckler, Dagger, or Sword, upon paine of forfeiting the same. (except it be for the defence of the Realme in time of warre, and then by the survey of Arraions for the time being, or intravelling with their masters, or on their masters business.) And Sherifes, Mayors, Bailiffes, and Constables shall have power to arrest, and shall arrest all offenders against this statute, and seise the said Bucklers, Swords & Daggers, and keepe them till the Sessions of the Justices of the peace, and the same shall present before the same Justices in their Sessions together with the names of them that did beare the same. But this shall not be prejudiciall to the franchises of Lordes touching forfeitures due to them. 12. Rich. 2. c. 6.

12. ¶ If any person or persons having at any time hereafter y^e charge or custody of any armour, ordnance, munition, shot, powder, or habilementes of warre of the Q. Majesties, her heires or successors, or of any vitailles provided for y^e victualling of any souldiers, gunners, mariners, or pioners, shal for any lucre or gain, or wittingly, advisedly, & of purpose to hinder or impeach her Majesties service, imbeisil, purloine, or convey away any y^e same armour, ordnance, munition, shot, or powder, habilementes of warre or vitailles, to the value of xx. s. at one or severall times, then every such offence shalbe judged felony, and the offender & offenders therein to be tried, proceeded on, and suffer as in case of felony. But none shall be impeached for any offence against this statute, vntlesse y^e same impeachment be prosecuted or begun within the yere next after y^e offence done. And this Act, nor any attainder or attainders of any person or persons, for any offence made felony by this Act shal in any wise extend or be interpreted to make possunder or offenders, to forfeit any lands, tenements or hereditaments, any longer then only during his or their life or lives, or to make any corruption of blood, to any the heire or heires of any such offender or offenders, or to make the wife of any such offender to loose or forfeit her dower or title of dower, or of in any lands, tenements, or hereditaments, or her action or interest in the same, any thing in this act or notwithstanding. And such person and persons as shalbe impeached for any offence made felony by this statute, shal by vertue of this Act, be received & admitted to make any lawfull p'pofe y^e he can, by lawfull witnesse or otherwise, for his discharge & defence in that behalf any lawe or notwithstanding. 31. El. 4.

1 The

And the Justices assigned, at their coming into the Countrey, have power to inquire howe such officers and lordes have used their offices in this case, and to punish those which they finde have not done that which belongeth to their offices.

No servant shall beare any sword, dagger, or buckler, upon paine of forfeiting the same.

And the Justices assigned, at their coming into the Countrey, have power to inquire howe such officers and lordes have used their offices in this case, and to punish those which they finde have not done that which belongeth to their offices.

Within the yere next after the offence done.

No. loss of lands nor corruption of blood.

And the Justices assigned, at their coming into the Countrey, have power to inquire howe such officers and lordes have used their offices in this case, and to punish those which they finde have not done that which belongeth to their offices.

Arrowheads. Arrests. Artificers.

1 The remedie for the owner where a Souldier doth make away his Horse or Armour. See Capitaines 1. 2.

2 That none in Wales shall come armed to any Sessions, Church, Faire, Market, &c. See Wales, 103.

Arrowheads.

Arrowheads
marked, by
ced, boyle.

Every Arrowhead and quartell, shall be marked with the marke of him that made the same, And if any that doe make them, doe not well boyle or harte and harden them at the point with Steele, he shall forfeite the same to the Queene, and shall be imprisoned and make fine at the Queenes pleasure. 7. Hen. 4. 7. S. Corporations. 10. Iustices of Peace. 55.

Arrests.

Arresting mis-
sions doing
diuine seruice.

If any of the Queenes Officers or other person doe arrest any Priest, Clerke, or other which is doing any diuine seruice in y^e Church Churchyard, or other place to that vse appointed, he shall be imprisoned and punished at the Queenes pleasure, and further shall recompence the partie arrested. But no people of the Church shall keepe them within the Church or Sanctuarie by fraud or Collusion. 50. Edward 3. 5. 1. Rich. 2. 15. See Preacher 1.

Arresting
within a liber-
tie those which
hold not of
them.

If any men of great power or their Bailiffes, or any other (except the Queenes Officers, unto whom speciall authoritie is thereunto giuen) either vpon the plaint of others, or vpon their owne authoritie, doe attach or other passing with their goods through the place where they haue authoritie, to answer before them of contracts, covenants, or trespasses committed without their power and iurisdiction, whereas they hold nothing of them, nor within the Franchise where their authoritie is, he which offendeth shall answer to the partie grieved his double damages, and shall pay a grievous amercement to the Queene. 1. 3. Ed. 1. 34.

1 Where the plaintife shall pay costes and damages for vnlawfull arrests. S. Damages. 1. 2.

2 Where and by whom Nightwalkers shall be arrested. See Watch 1.

3 That all shall be ready to arrest Fellons and other great offenders. S. Felony. 37. 38.

Artificers.

Buttlers con-
spire for the
selling of their
bittales.

Labourers
conspire for
the order of
their worke.

If any Butchers, Bakers, Brewers, Pulsters, Cookes, Costermongers, or Fruiterers shall conspire, covenant, promise or take any othes, that they shall not sell their bittales but at certaine prices: Or if any Artificers, Workemen, or Labourers doe conspire, covenant, promise together, or make any othes that they shall not doe their workes but at a certaine price or rate, or shall not take vpon them to finish that which another hath begun, or shall doe but certaine worke in a day, or shall not worke but at certaine houres and times: Then euery of them so offending being lawfully convicted thereof by witnesse, confession or otherwise, shall forfeite for the first offence ten pound to the Queene, and if he doe not pay the same within sixe dayes

dapes after conviction, he shall be imprisoned twentie dapes, and have onely bread and water for his sustenance. And for the second offence, shall forfeite xx.li. or 3c. suffer the punishment of the Pillorie. And for the third offence 3c. shall forfeite xl.li. or 3c. to sit on the Pillorie, lose one of his eares, and to be taken infamous, and neuer to be crediced in matter of Judgement, 2. Edward 6. 15.

2 And if any such conspiracie, covenant, or promise be made by any company of any myserie of the vicailers aforesaid with the consent of the moze part of them, then besides the particuler punishment appointed for the offender, the coppozation shall be dissolved to all intents, 2. Edward 6. 15; S. Iustices of peace. 56. Corporations 7.

1 For the retaining, departing, working, wages, and order of Artificers, S. Labourers in all, and Iustices of peace. 66. 67. 68.

Assise.

A Man shall have an Assise of Estovers, of wood, and of profit to be taken in wood, Nuttes, Acornes, and other fruite to be gathered of a Coprodie, of deliuering Cozne and other vitayles and necessaries, to be receiued peereley in a place certaine, of Colle, Tonnage, Passage, Montage, Pawnage, and such like things to be taken in places certaine. And an Assise doeth lye of the keeping of Woods, Forrestes, Parkes, Chales, Warrres, Gates, and other Bailiwikes, and offices in fee, and in all the foresaid cases the writte shalbe de libero tenemento. And as the Assise doeth lye of common of pasture, so doeth it of common of Turbary, fishing, and such like, which a man hath belonging to his freehold, or without his freehold by speciall deede, at the least for terme of life. And also it lieth against him which pastureth an other mans seuerall, West. 2. 13. Edward 1. 25.

2 Tenant for terme of yeeres, or gardien of any tenement doeth alien the same in fee, whereby the freehold is transferred vnto the feoffee, the remedie is by Assise, and the alienor shalbe adiudged a disseisor, and so shall the feoffee; so that during the life of either of them, the same writte will lie. And if by the deach of the foresaid persons, the said remedie doeth faile, then there shall be redresse by a writte of Entry, West. 2. 13. Edward 1. 25. And the heire shall haue his recovery immediately by Assise against the gardein and tenant. And the gardein shall lose during his life the custody of the same thing recouered, and of all the residue of the inheritance which he holdeth of the same heires. West. 1. 3. Edward 1. 47. S. Wardes 8.

3 Tenant by Elegit be put out of the tenement, which he hath in execution, he shall haue an Assise 13. Edward 1. 18. And so shall tenant by Statute merchant, if he be put out, 13. Edward 1. mercat. And in like sort shall tenant by Statute Staple if he be put out. 27. Edward 3. 9. And also tenant by recognisance in the nature of a Statute Staple, his executors, administrators and assignes shall haue an Assise, if he, they, or any of them be disseised, or put out of the

Conspiracie made by a company of vicailers.

Assise of Estovers, Wood, Coprodie.

Colle, Tonnage, Passage, Montage, Pawnage, Assise of Distress.

Assise of common Turbary fishing.

Assise against Gardein or tenant for yeeres and their assignes.

Assise by tenant by elegit, Statute, recognisance.

Affise.

Affise of a par-
sonage, vicar-
age, tythes.

lands in execution 23. Hen. 8. 6. And Affise may be maintained by any per-
son deforced which hath estate of inheritance, freehold, &c. in, or to any Par-
sonage, Vicarage, Porcion, Pension, Tythes, Oblations, or other Ecclesi-
asticall profite, made or to be made Temporal for the recouerie of the same,
32. H. 8. 7. And the Parson of a Church may recouer common of pasture by
affise, 13. Ed. 1. 25. 4. S. Execution. 1. &c. Statutes 1. 12. Tithes 23.

Affise by a
Parson.

4 ¶ If any Escheator, Sherife, or other of the Queenes Bailiffes, shall
by colour of his office, (without speciall warrant, commaundement, or cer-
taine authoritie which belongeth to his office) disseise any man of his free-
hold, or of any thing which belongeth to his freehold, either the disseisee ac-
his choise shall haue affise &c. and recouer double dammagages, and the defen-
dant shall be amerced: or else the Queene vpon the disseisees complaint
shall redresse the matter, West. 1. 3. Ed. 1. 24.

Affise against
an officer of
the Queenes.

Affise against
the Queenes
Patentee.

5 ¶ Where landes be graunted by the Queenes Patent, without any
title found by inquest, or else where the Queenes Entry is not given by the
lawe, they which be put out, or disseised of their freehold, shall haue an espe-
ciall affise of the Lord Chauncelours graunt, without suite to the Queenes:
and if the parties to whom the Patents be graunted, doe pray in ayde of the
Queene, the Chauncellour shall graunt a writte of Procedendo, without
further suite to the Queene. And if they which be put out, or the disseisees
doe recouer against such Patentees, they shall recouer their treble damma-
ges, 1. H. 4. 8.

A speciall affise
against a dissei-
sor with force.

6 ¶ If any man in his owne right to his owne vse, or in an other mans
right to his vse, doeth make any forcible Entry into another mans lands by
way of maintenance, or doeth take, or carry away any goods of the possessors
of the freehold after any such forcible Entry, then if the partie grieved, or
other lawfull man will affirme, that the Entry was made in such forcible
maner, the Chauncellour may graunt to the partie grieved a speciall affise,
and if the disseisor be attainted of such forcible disseisin, he shall be one yeere
imprisoned, and pay to the partie grieved his double dammagages, and also
dammagages for his goods. And one of the Iustices of the one Bench, or the
other, or the chiefe Baron of the Eschequer (if he be learned in the lawe)
shall be named in euery such speciall affise: And no Superfediass shall be
granted to the contrary of such affise, 4. H. 4. 8. See Force &c. 3. & 5.

Affise of rent
going fourth of
lands in seuer-
all Counties.

7 ¶ Affise of rent issuing fourth of tenements in seuerall Counties, shall
be holden in the border of the same Counties, and the affise shall be tryed by
people of the same Counties, in such maner as hath beene vsed of common
of pasture being in one Countie, and appendant to tenements in an other
Countie, 7. Ric. 2. 10.

Copies of pa-
nell shall be de-
livered to the
parties.

8 ¶ The panels of speciall affises shall be araped, and a copie indented
thereof deliuered by the Sherife to the plaintifes, tenants or defendantes, by
the space of fixe dayes at the least before the Session of the Iustices, if they
will demandaunt it. And the Bailiffes of Franchises shall make their returnes
to

to the Sherifes of all such speciall assises sixe dayes before, vpon paine of
forfeiture xlii. to the Queene by the said Sherife, or Bailife, for euery de-
faule, 6.H.6.2.42.Ed.3.11.

¶ 9. If in assise brought before Iustices assigned, the Sherife be named
a disseisor, to the intent that he shall not serue the writ, but to haue the same
directed to the Cozoners, the tenant may pleade, that the Sherife neither is,
nor euer was disseisor nor tenant of the tenements in demaund, but was na-
med by Collusion, which being found by the assise, the Iustices shall abate
the writte, and the plaintife shall be amerced, 11.H.6.2. And if assise, or other
writte of plea of land be brought against the Lord of auncient demesne, or a-
gainst the Batoz, Bailiffes, and Comminaltie of Franchises, of lands with-
in the same Franchises, which be neither disseisors nor tenants, but therein
named to take away their franchise, first the Iustices shall enquire by the
assise whether the Lord, Batoz, Bailiffes &c. be disseisors or tenants, (if they
require it) or be named by Collusion. And if it be found that they be neither
disseisors nor tenants, but named by Collusion, then the writte shall be abated,
and the plaintife amerced, notwithstanding the other tenants or disseisors be
named or found in such assises or writs, 9.H.4.5. And if assise or any perso-
nall action be sued of any landes within any franchise or auncient demesne,
whereof the iurisdiction belongeth to the Lords, Batoz, Bailiffes &c. if the
defendant make default to put the said Lords, Batoz &c. from their fran-
chise, then the Iustices at the request of the Lords, Batoz, Bailiffes &c. shall
make enquirie by the assise &c. or by inquest &c. And if it be found that such
defaults be made by Collusion to exclude the Lords, Batoz &c. of their
franchises, cognisance or iurisdiction, the writs shall be abated, and the plain-
tifes amerced: And the plaintifes, Lords, Batoz, Bailiffes &c. shall haue
their chalenges, 8.H.6.26.

¶ 10. If he which is named a disseisor doth personally alleage any false
exception, whereby the taking of the assise may be deferred, v. that at ano-
ther time assise of the said tenements passed betwixt the said parties, or that a
writ of higher nature dependeth betwixt them of the same tenements, & doth
vouch any Roules or Record to warrantie, and at the day giuen, he faile of
his warrant, he shall be adiudged a disseisor without recognisance of the as-
sise, and shall restore double dammages of that which is or after shall be found,
and also for his falshood shall be one yeere imprisoned. But if the said exception
be alledged by a Bailife, the taking of the assise shall not therefore be defer-
red, nor iudgement vpon the restitution of the land and dammages, yet if the
Lord of the same Bailife which was absent, do after come before the Iustice
which tooke the assise, & doth offer to proue by record & roules, that assise an-
other time passed betwixt the same parties of the same landes, or that y^e plain-
tife withdrew himselfe in a like suit, or y^e plea dependeth betwixt them by a
writ of higher nature, there shall be a writ awarded to bring the record before
the Iustices, & when the Iustices do see y^e the record would haue preuailed
before

The Sherife
named a dis-
seisor in assise,

Lord of auncie-
ent demesne,
Batoz &c. nam-
med disseisors,

Default made
to put the Batoz
&c. from
their iurisdic-
tion,

A disseisor by
sailing of a re-
cord vouched,

Certification
assise,

Attaint.

before iudgement, and that thereby the plaintife shoulde haue bene excluded of his action, they shall immediately warne the partie, which first recovered to appeare at a day, at which day the defendant shall haue againe his seisin and dammages, which he first paid, with the dammages after the first iudgement giuen doubled, and he which first recovered shall be imprisoned at the Iustices discretion. The like remedie shal the defendant haue against whom in his absence an assise passed, which sheweth any deedes or releases, vpon the making whereof the Iury was not, nor could be examined because there was no mention of them in pleading, for the Iustices vpon the sight of those writings shall award a Scire facias against the partie which recovered to appeare at a day, & also shall cause the Iuroys of the same assise to come. And if they finde those writings true, by verdict or inuolment, he shall be punished in forme aforesaid, which purchased assise contrary to his owne deede. West. 2. 23. Ed. 1. 16.

Attachment
in Assise.

1 The Sherife shall not take an Oxe of him which is disseised, but of the disseisour onely: And if there be diuers disseisors named in one writte, yet he shall take but one Oxe, and he shall take an Oxe but of the price of v. s. or els the price. West. 2. 13. Ed. 1. 26.

- 1 Where the plaintife in Assise may abridge his plaint. S. Abr. 1.
- 2 The remedie where the disseisour or disseisee dyeth immediatly after the disseison, or depending the suit. S. Age. 1.
- 3 Where the tenant in Assise may make Attorney. S. Attorney 3.
- 4 That the Iurors in assise are not compellable to say precisely that it is a disseison. S. Iurors 32.
- 5 For the pleading of Iointenancy in Assise. S. Ioyntenancie 1.

Attaint.

Attaint wher
the thing ex-
tendeth to xlii.

Vpon euery vntrue verdict giuen betwixt partie and partie in any suit, plaint, or demaund, before any Iustices or Iudges of record where the thing in demaund (and verdict thereupon giuen) extendeth to the value of xlii. and concerneth not the ieopardie of mans life, the partie grieved by the same verdict shall haue a writ of Attaint against euery person so giuing an vntrue verdict, and euery of them, and against the partie which shall haue iudgement vpon the same verdict. And by the death of the partie, or any of the petit Iurie the said Attaint shall not abate, nor be differred against the remnant as long as two of the said petit Iurie be aliue. And euery one that shall passe in the same Attaint, shall haue lands and tenements to the value of twentie markes by peere of freehold out of auncient demesne. 23. Hen. 3. 8. 3.

Attaint abas-
seth not by the
death of the
defendant or
any of the pe-
tit Iurie.

What lands
the Iuroys
must dispend.

Proces in At-
tainr.

2 In y^e same Attaint there shalbe awarded against the Iurie, the partie, and the graund Iurie, sommons, resommons and distresse infinite, which graund Iurie shall be of like number as the graund Iurie is nowe &c. and vpon the distresse, which shall be deliuered of record vpon the same, open proclamation

proclamation shalbe made in the court where the distresse shalbe awarded, more then x. dayes before the retorne of the same distresse, and every such distresse shall be made upon the land of enery of the said graund Jurie, as in other distresses is used. And in all the aforesaid proces, such day shalbe given, as in a writ of power, wherein no C. 13. c. 23. Hen. 8. 3.

3. ¶ If the defendant or the petit Jurors, or any of them appeare not by on the distresse, then the graund Jurie shalbe taken against them and every of them, that shall so make default. And if any of the said petit Jurie appeare, then the partie complainant shall assigne the false Serement of the first verdict intruely given, whereunto they of the petit Jurie shall have none answer if they be the same persons, and the writte, proces, retorne and assignement good and lawfull, (except that the demaundant or plaincife in the same attaine hath before bene nonsuit or discontinued his suit of attaine taken for the same, or both for the same verdict in a writ of attaine had judgment against the said petit Jurie,) but onely that they made true Serement, which issue shalbe tried by xiii. of the said graund Jurie, (for belawre in a personall action, or cause, or excommungement pleaded in the plaincife or demaundant, is a voyd plea, whereunto he shall not be put to answer) And the partie shall pleade that they gave true verdict, or any other matter, which shall be a sufficient Barre of the said attaine: And that plea notwithstanding the graund Jurie shalbe taken without delay to enquire whether the first Jurie gave true verdict or no. 23. H. 8. 3. Stat. de Attaindis. 13. Ed. 1.

4. ¶ And if they finde that the said petit Jurie gave an untrue verdict, then every of the said petit Jurie shall forfeite xx. li. wherof one halfe shalbe to the Queene, and the other halfe to the partie that sueth, to be leuied by Capias ad satisfaciendum, fieri facias, or Elegit, or by action of debt against every person of the petit Jurie so forfeiting, and against his executors and administrators, having then sufficient goods of their said testator not administered. And every of the said petit Jurie shall severally make fine by the discretion of the Iustices before who the said false Serement shall be found after their severall offences, defaults, and sufficiencie of every of them. And those of the petit Jurie so attainted, shall neuer be after in any credence, nor their othes accepted in any part. 23. Hen. 8. 3.

5. ¶ If such pleas as the partie pleadeth, which is a barre of the attaine, be found or deemed against him, then the party that so sueth, shall have judgment to be restored to the loss, in his reasonable costs & damages. 23. H. 8. 3.

6. ¶ If a false verdict be given in any action, suite, or demaund before any Justice or of record, of any thing personall, as debt, trespass, and other like, which shalbe under the value of xl. li. then the partie grieved shall have attaine with such proces, & pleas, & without delays yt supra. And if the petit Jurie be attainted, then every of them shall forfeit v. li. to the Q. and partie or. and also make fine by the discretion of the Iustices, and every person that may dispend v. marke by peere of freehold out of auncient demesne, or is

The graund Jurie taken by default of the defendant or petit Jurie.

What pleas the petit Jurie may pleade.

What plea the defendant in attaine shall pleade.

The punishment of the petit Jurie attainted.

Judgment for the plaincife.

Attaine of any thing personall under xl. li.

Worth Camerkes in goods, is able to passe in the same Attaine. 23. Hen. 8. 3.

Tales into an
other Shire.

7 ¶ If there be not persons of such sufficientie within þe Shire or place, where any of the said Attaints shall be taken, as may passe in the same, then one Tales shall be awarded; unto the Shire next adjoining by the discretion of the Justices &c. which shall be warned to appeare upon like paines &c. and enabled to passe in the said Attaints, as if they were dwelling in the Shire where that same shall be taken. 23. Hen. 8. 3.

Judgement
for the defen-
dant where the
plaintiff is
non suit or doth
discontinue.

8 ¶ If the partie in Attaint given by this Act, be non suit, or offend, & sue the same, he shall make fine and ransom by the discretion of the Justices before whom the said Attaine shall be taken and depending. And the Judgement of restitution to the partie grieved, suing this Act and execution of the same, shall be had, & like Judgement for the defendant or tenant to be discharged of restitution, as in case of a grounds Attaint hath bin used. 23. H. 8. 3.

Attaints take
in the Kings
Bench, common
place, and by
Nisi prius.
Attorney in
Attaint.

9 ¶ All Attaints shall be taken before the Queene in her Bench, or before the Justices of the Common place, and in none other Courts. And Nisi prius shall be graunted by discretion of the Justices upon the distress. And every of the said petit Jurie, may appeare and answer by Attorney in the said Attaint. 23. Hen. 8. 3. 13. El. 2.

Sommons &
seuerance in
Attaint.

10 ¶ If there be divers plaintifes or demandants in an attaine, & non suit or releas of any of them, shall not be prejudiciall to the residue, but they and every of them in such cases may be sommoned and seuered, like as it is used, when there be others demandants in actions &c. 23. Hen. 8. 3. 13. El. 25.

Attaints of
inheritance.

11 ¶ The same lawes, actions, and remedies, whereby by this Act, shall be kept, for and to al them that be grieved by such untrue verdicts of any inheritance in discent, reversion, remainder, or of any freehold in reversion or remainder 23. Hen. 8. 3. 13. El. 25. 25. H. 6. 5. If tenant for terme of life, in borrow, by the curtille, or in talle after possibillite of issue extinct, be impleaded, pleade to Chiquess, and lose by verdict, default, or in other matter, he to whom the reversion of the same lands be at the time of the judgement, his heires or successors, shall have a writ of Attaint, to attaint the Jurie, if he will assigne the false Severement, as well in the life of the said tenant as after their death. 9. R. 2. 3. S. Error.

He in the re-
version may
have attaint of
a verdict given
against þe par-
ticular tenant.

In what cases
attaint will lie.

12 ¶ A writ of Attaint shall be graunted, as well in plea of land of freehold, or any thing touching freehold, as in plea personall. 3. Ed. 1. 37. 34. Co. 3. 7. And as well upon the principal, as upon the damages in an action of trespass. And in this and all other cases, the Justices shall not let to take the Attaine for the damages not paid. 1. Co. 3. 6. And Attaint shall be graunted in pleas of Trespas pursued as well by bill as by writ before Justices of record. 5. Co. 3. 7. 18. Co. 3. 8. Nisi prius shall be graunted in Attaine, but neither returne of the Queenes service, nor protection shall be allowed therein. 5. Co. 3. 7. The partie grieved by any false verdict given in any action, suit, and writ, prescription, title of claim, made according to the statute provided for the limitation of prescription, may have an Attaint. 3. 2. H. 8. 2.

13 ¶ The

13 The partie grieved by any false verdict given in any of the courts of the Citie of London, shall and may sue attaint by bill in the Hustings of London, holden for common pleas before the Mayor and Aldermen of the same Citie, and thereupon a Precept shall be awarded by the same Mayor to every Alderman of the said Citie, or his deputie in his absence, to certifye the names of foure indifferent and discrete persons of good fame, and every of them of substance of a C. li. or more, Citizens of the same Citie, dwelling in his Ward, to the Mayor and Aldermen of the said Citie at the Hustings then next ensuing, of which persons so certified, the said Mayor & five Aldermen or his holding the same court of Hustings, shall impanel xlviii. persons, and the Mayor shall cause to be summoned the said xlviii. and also the Jurors of the petit Jurie, and the tenants or defendants in the said bil of attaint, to appeare before the Mayor and Aldermen in the same Citie, at the Hustings of common pleas then next to be holden in the same Citie. And if the same attaint happen to remaine untaken by default of Jurors by challenge or otherwise, upon every Tales graunted, the said Mayor and Aldermen shall impanel the said persons which were certified by the said Aldermen, or their deputies, & omitted out of the said panel, or put therein other persons being Citizens of the said Citie, and of the substance of C. li. or more. 11. Hen. 7. 21.

14 None of the petit Jurie, ne other parties named in any such bill of attaint shall have any challenge to the Array, or to any person being impanelled for lacke of sufficient goods or lands, 11. H. 7. 21. And every person being a Citizen of the Citie of London, & worth in goods CCC. marks, may be impanelled by the Sherifes of London in every attaint brought by writ, by vertue of the aforesaid Statute of 23. H. 8. upon any verdict given by the Citizens without any challenge for insufficiency of freehold of any of them. 37. H. 8. 5.

15 All the pleas pleaded for the tenant or defendant, or by any of the Jurors of the petit Jurie in the same attaint, and triable by any Jurie, shall be tryed within the same Citie, and by the Enquests of the same, and in none other place ne Countie, 11. H. 7. 21. And the Justices upon attaints sued by writ according to the foresaid Statute of 23. H. 8. upon any verdict given by the Citizens of London, shall sit onely at the Guild Hall of the same Citie, or at some other place within the same Citie, and there sweare the graund Jurie and take the verdicts, and the Citizens shall not be compelled to appeare in any such attaint taken upon any untrue verdict given in London, but onely within the limits of the said Citie, 37. H. 8. 5.

16 If the graund Jurie sworne in the same attaint, find that the petit Jurie have given an untrue verdict, then the Judgement shall be given against the defendant as is used in attaint sued by writ, at the common law. And the Judgement shall be against the petit Jurie, that every of them shall lose xx. li. or more, by the discretion of the Mayor & Aldermen of the said Citie, keeping the Hustings, to such use as other issues & penaltes bene forfeited

C.iiii.

Attaint sued
by bill in the
Hustings in
London.

Who be suffi-
cient to passe
upon attaint
in London.

Place of at-
taint commen-
ced in London,
shalbe tryed
in London.

The Judges
ment where
the petit Jurie
in London is
attainted.

in

in any action or plaint commenced before the Mayor and Aldermen &c. and his body to be imprisoned, there to remaine without baille or maineprise sixe moneths, or lesse, by the discretion of the Mayor and Aldermen &c. and to be disabled for ever to be sworn in any Jury before any temporall Judge. But the iudgement in such attaint shall not extend to any landes or tenements, ne to other punishment of the petit Jury. 11. Hen. 7. 21.

The iudgement where the first verdict is affirmed

Enquire of the taking of rewards.

17. **C** If it be found by the graund Jury, that the petit Jury have given a true verdict, then the graund Jury shall have authoritie to enquire if any of the petit Jury received any summe of money, or other reward or promise of money, or other reward, of the named defendants or tenants in the same attaint, or of any other person, by the commandement, counsell or assent of any of them, for the intent of their verdict giving; whereupon the same attaint is grounded, and after any such corruption by the said graund Jury found, then the Jury that is so found defective in taking &c. shall pay to the plaintiffe named in the same attaint ten times the value of the summe, or other reward so taken, or promised, and shall suffer imprisonment without baille or maineprise sixe moneths or lesse, by the discretion of the said Mayor and Aldermen, and shall be disabled for ever, to be sworn in any Jury, before any Temporall Judge: And such defendant or tenant, in the same attaint, shall pay to such use as other penalties bene forfeited within the same Citie, &c. nine times the value of the summe of money or other reward, by him so given to any of the said petit Jury, and shall be imprisoned without baille or maineprise, during sixe moneths or lesse, by the discretion of the said Mayor and Aldermen. 11. Hen. 7. 21.

Remedie for the debts and damages recovered in the first action.

18. **C** If any debts and damages, or costes be recovered in any action whereupon such attaint is grounded, & by the same attaint it be found that the petit Jury hath given a false Serement, then for the recovery and restitution of the same debt, damages and costes, the plaintiffe in such attaint shall and may sue an action of debt against the same defendant or tenant, by writ, bill, or plaint &c. wherein no W. &c. 11. Hen. 7. 21.

If the plaintiffe be nonsuit, or the first verdict affirmed.

19. **C** If any plaintiffe in any such attaint be nonsuit, or if the first Serement therein be affirmed, then he shall have imprisonment, and make fine by the discretion of the Mayor and Aldermen &c. and that fine shall be to the Mayor and Commonalties of the said Citie. 11. Hen. 7. 21.

The attaint shall not abate, though one of the plaintiffes die or be nonsuit.

20. **C** If there be two or mo plaintiffes in any such attaint, and any of them die or be nonsuit, the other shall be enabled to sue for the proceeding in the same attaint: and notwithstanding the death of the defendant or tenant, or any of the petit Jury named in the same attaint, so that there be two of the same petit Jury on live, the attaint shall not abate. 11. Hen. 7. 21.

Attaint per me &c.

21. **C** Upon all attaints commenced within the Citie of London upon any record, wherein the triall & inquest was by halfe tongue, the Mayor & Aldermen shall impanel the graund Jury, the one halfe of strangers, of good name, of goods to the value of a C. li. and more, inhabiting within the same Citie as

large,

large, and the residue of Citizens of the same value. 11 Hen. 7. 31.
 22 It is at the libertie of all persons, upon an untrue verdict given in
 any court of the Cite of London, to sue their attaint upon the Statute made,
 23 H. 8. of eis upon the Statute made 11 H. 7. at their owne pleasure,
 23 H. 8. 3.

Libertie upon
 whether shal
 sue the partie
 for an attaint

1 What challenge is allowable in Attaint sued by bill or writ, in Lon-
 don. S. Challenge. 1. 2. 3. 4.

2 What issues every Juror shall forsaie, which appeareth do in At-
 taint. S. Jurors. 26.

3 Attaint by an heire win age vps a verdict past against him. S. Age. 1
 Attorney.

Every free man which oweth suite to the Countie. Ething. Hundred
 and wapentake, or to his Lordes Court, may freely make his Attorney
 to doe those suites for him. Merton. 10 H. 3. 10.

Suit of Court
 to what court
 may be made

2 Every man which feareth to be impleaded before the Justices of
 the Kings Bench, Common place, Justices in Cite or of Assises, or in any
 Countie before the Sherife, or in any Court Baron, may make a generall
 Attorney to pursue for him in y foresayd causes to be sued by him or against
 him, which Attorney hath power to proceede in the same suites, untill they
 be ended, or that his Master doeth remove him. Weston. 2. 13. Co. 1. 11.

A generall At-
 turney.

3 The tenants in assise of novel disseisin, may make Attorneys if they
 will, and also they may plead by Bailifes Stat. Eborum. And after the re-
 nant hath appeared in assise, attaint, or in is verum, he cannot be essoyned, but
 may make Attorney for him. Weston. 1. 3. Co. 1. 41.

Attire.

4 Every of the petit Jury in attaint may appeare and answer by At-
 turney in the same attaint. 23 H. 8. 3. 13. Cl. 25.

Attaint.

5 The appellante in any appeale of murder, or death of man, where
 battel by the course of the common Law lyeth not, may make his Atturney,
 and appeare by the same in the said appeale after it is commenced, to the end
 and execution of the same. 3 H. 7. 1.

Appeale.

6 The defendants may make Attorneys in such suites where ap-
 peale lyeth not, so that if they be attainted, in their absence the Sherife shal be
 commanded to take them, and then they shall receive the punishment that
 they shoul have had, if they had bene present when the iudgement was ge-
 ven. Glo. 6. Co. 1. 8.

Suites where ap-
 peale lyeth not.

7 No under Sherife, Sherifes Clarke, Sherifes receiver, or Bailife shall
 be Attorney in any of the Quenes Courts for the time he is in office, with
 any such Sherife. 1 H. 5. 4.

Sherifes offi-
 cers shall not
 be Attorneys.

8 No Stewarde, Bayliffe or Officer of any Lord of a Franchise,
 which hath revenue of writs, shall be Attorney in any plea within the same
 Franchise. 4 H. 4. 19.

These officers
 shall not be At-
 turnys.

9 If any Baron of the Eschequer, or Justice, or any of their Clerks
 or Officers, shall receive any Attorneys but onely in the pleas and suits be-
 pending

None shall re-
 ceive atturneys
 but in suits be-
 pending before
 him.

Attorney.

pending before them and their felowes, and in the Countes where they are assigned, the same admission is voyde, Cartholle. 15. Ch. 2.

Attorneys for outlawed persons diseased.

10 **E**uery Justice of the one Bench and the other, and also the chiefe Baron of the Exchequer haue authoritie to examine outlawed persons which be sicke of any diseale openly knowen, and to recozde Attorneys for them: But in a writ of Capias ad satisfaciendum, the common Lawe holdeth place. 7. D. 4. 13.

The punishment of attorneys found in default. Attorneys oib.

11 **I**f any Attorney be openly found in default by recozde or otherwise, he shal forswear the Court, and neuer after be allowed to prosecute any suit in any of the Queenes Courts, and euery Attorney shalbe sworn cruely to serue in their offices, and specially to make no suite in a foreine Countie. 4. D. 4. 18.

Warrant of Attorney entered of recozd.

12 **I**n all suites wherein proces of Capias and exigent lyeth, if the Attorney haue not his warrant of recozd, the same terme that the exigent is awarded, he shal lose x.s. to the Queene, if he be attained thereof by examination of the Iustices. 18. D. 6. 9.

When the Attorney shal enter his warrant.

13 **E**uery such person which shalbe Attorney for any other person or persons being demaundant or plaintife, tenant or defendant, in any accion or suite commenced in any of the Queenes Courts of Recozd at Westm. and plead to an issue in the same, shal deliuer or cause to be deliuered his lawfull warrant of Attorney to be entred of recozd for euery of the sayd accions or suits wherein he is named Attorney, to y officer or his deputie ordeined for the receipt or entry thereof in the same terme, when the sayd issue is entered of recozd in the sayd Court, or before, vpon paine of forfaiting x.li. for euery default for non deliuering of the sayd warrant, the one moiitie to the Q. &c. the other to such Officer to whom, or in whose Office the same warrant should be deliuered &c. to be recovered by A. B. J. &c. wherein no Q. &c. Co. p. &c. And also further shal suffer such imprisonment, as by the discretion of the Iustices of the Court (where any such default shalbe made) shal be thought conuenient. 32. D. 8. 30. 2. Ed. 6. 12. 18. El. 13.

Attorneys in Norfolk, Suffolke, & Norwich.

14 **T**here shalbe but sixe common Attorneys in the Countie of Norfolk, and sixe in the Countie of Suffolke, and two in the Citie of Norwich, to be Attorneys in Courts of Recozd, and all the sayd xiiii. Attorneys shal be elected and admitted by the two chiefe Iustices for the time being, of the most sufficient and best instructed by their discretions, and the election and admission of all Attorneys by the sayd Iustices aboue the sayd number in the sayd Counties, shal be voyde. And if any person vsurpe, or presume to be Attorney in Courts of Recozd in the sayd Counties or Citie, oerthwise then before is specified, and that found by Inquisition, taken before the Iustices of peace in the sayd Citie or Counties, (which haue power to inquire thereof in their Sessions) or in any other maner lawfully pproved, then hee that so presumeth (if he be thereof lawfully convicted) shal forfeit x. li. to the Queene and J. &c. as often as he is so convicted, to be recovered by any that will

will sue by action of debt. 33. H. 6. 7. In the same statute it is provided that the sayd ordinance should beginne, and first take effect at the feast of Easter then next comming and not before, if the same ordinance seeme reasonable to the Iustices. Quere whether the whole force and essence of this stat. did depend vpon the Iustices determination or onely the time of the beginning thereof.

15. ¶ If any person or persons shalbe sued or informed against vpon any penal Lawe in any of the Courtes of the Kings Bench, Common pleas, or Eschequer, where such person or persons areailable by Lawe, or where by the leave or forme of the Courte such person or persons may appeare by Atturney, in all and euery such cause the person or persons so to be impleaded shall and may at the day and time contained in the first pproces serued for his apparance appeare by Atturney of the same Courte where the proces is returnable, to answer and defend the same, and not be vged to personall apparance, or to put in bade for the answering of suit: Any former Law or, notwithstanding. 29. Eliz. 5. The same branch of the sayd Act shall extend and shall be interpreted to extend onely to the naturall subiectes boyme or to be boyme within the dominions of the Queenes Maiestie her heyres and successors, and to persons made free Denizens, and to no others, Any thing therein contained or, notwithstanding. 31. Eliz. 10.

The defend. in suits vpon penall statutes may appeare by Atturney.

Auditour and Receiuer.

¶ Every of the Queenes Auditours of the Eschequer, Duchie of Lancaster, and Courte of Wardes and Liveries, shall peereley proclayme and delate in euery Countie within their seuerall liuities, in three or foure Market Townes or other places by the space of twentie dayes before their audit, when and where they will keepe their audits in the same Shire, or they shall forfait fine pound for euery offence to the Queene & to be recovered by A. J. or, wherein no W. or, C. or, D. or, 33. H. 8. 39. See Accompt to the Queene. 12.

The audit shal be proclaymed, made quoniam

¶ If any Auditour of the Eschequer, Duchie of Lancaster or Courte of Wardes and Liveries, or any of his Clarkes, or other to their or any of their use, shall take for the inrolment of any letters patentes, decrees of the same Courtes, graints or indentures of leases, or for the allowance of the same, about iii. s. vii. d. he so offending shall forfait vi. s. viii. d. for euery penny which he taketh about the foresayd summe, to the Queene and the Informer or, to be recovered by A. J. or, wherein no W. or, C. or, D. or, 33. H. 8. 39. And if any person doe offer to any such Auditour any such letters patentes, decrees, leases or, to be inrolled, he shal inrolle the same or as much thereof as shal appertaine to his office. 33. H. 8. 39.

Auditours fees for inrolment.

¶ Every Receiuer of the Eschequer, Duchie of Lancaster and Courte of Wardes and Liveries, which shal pay to any person an annuities, pension, or other rent, shal (if the same person vpon the receipt thereof wil deliuer unto him

what fees the Receiuer shall take.

Auditor and Receiuer.

him a sufficient acquittance, sealed and signed, testifying the same receipt) receiue the same, without taking any reward therefore, vpon paine to forfeite for euery peny or peny worth receiued vi.s.viii.d. And if the partie doe not deliuer such a sufficient acquittance, but that the Receiuer or his Clarke doeth make the same, he shall haue therefore iiii.d. and if he take a bone iiii.d. he shall forfeite for euery peny or peny worth so taken vi.s.viii.d. And if any Treasurer, Receiuer or minister accomptant or their Deputies which shall pay to any person any fee, annuities, pencion, due tie, warrant or rent, doe receive, receiue or take of the partie, to whom hee shall pay the same, in way of rewarde or otherwise, a bone iiii.d. for euery pound that he shall pay, he shall forfeite vi.s.viii.d. for euery peny or peny worth which he shall receive ouer, to the party griued, to be recouered by A. B. or P. wherein no W. &c. C. or P. &c. 3. D. 8. 39. 7. Ed. 6. 1. S. Accomptants &c. to the Queene.

Item That the Queenes Receiuers shall enter into bond with suerties to accompt and pay such money as they may lawfully be charged with. See Accomptants to the Queene. 10.

2 For the Queenes Auditors and Receiuers precepts to Bailifes Accomptants. S. Accompt. &c. 11. 12.

3 At what time the Queenes Receiuers shal accompt, and when they shall make payment. S. Accompt &c. 16. 17. 18.

4 When Auditors may commit accomptants to prison. S. Account 2.

Auowrie.

Wheresoeuer any Manor, lands, tenements & other hereditaments be holden by any person or persons by rentes, customes or seruices, if the Lord of whom any such Manor, lands, tenements, or hereditaments be so holden, distraine vpon the same lands, for any such rentes, customes, or seruices, and replewin thereof be sued, the Lord of whom the same lands, &c. be so holden may auowre, or his Bailife or seruant make cognisance, or iustifie for taking the sayd distresse vpon the same lands, tenements or hereditaments so holden, as in lands &c. within his fee or seigniorie, alledging in the sayd auowry, conuassance, and iustification, the same lands &c. to be holden of him without naming of any person certaine to be tenant of the same, and without making any auowry, iustification, or conuassance vpon any person certaine: And likewise the Lord, Bailife, or seruant shall make auowry, iustification or conuassance in like maner and forme, vpon euery writ sued of Second deliuerance. 11. D. 8. 19.

Euery Auowant, and other person, that make any such Auowrie, iustification or conuassance, as Bailife or seruant to any person in any Replegiarie or Second deliuerance for rentes, customes, seruices, or for damage feint, or other rentes vpon any distresse taken in any lands or tenements, if the same auowry, iustification or conuassance be found, for them, or the plaintiffe in the same be nonsuit, or otherwise barred, then they shall recouer their damages

in the said
replegiarie
and in the
second deliuerance
the plaintiffe
shall recouer
his damages

And if the
plaintiffe
shall make
auowry vpon
the land with
out naming as
any person.

And if the
plaintiffe
shall make
auowry vpon
the land in Se-
cond deliuer-
ance,

And if the
plaintiffe
shall make
auowry vpon
the land in Se-
cond deliuer-
ance,

And if the
plaintiffe
shall make
auowry vpon
the land in Se-
cond deliuer-
ance,

And if the
plaintiffe
shall make
auowry vpon
the land in Se-
cond deliuer-
ance,

damages and costes against the sayde plaintifes, as the same plaintifes should haue done if they had recouerd therein against the sayd defendants. 21. H. 8. 19. Sec Damages 8.

3. The sayd plaintifes and defendants in the sayd writs of Replegiarie or of Second deliuerance, and in euery of them, shall haue like pleas and like ayde and praper in all such Auowries, conuances and iustifications (Pleas of disclaimer onely except) as they might haue had before the making of this Act, and as though the sayd Auowry, conuance or iustification, had bene made after the due order of the common Law. 21. H. 8. 19.

Such pleas & ayde praper, as were at the common law.

4. All such persons as by the order of the common Law may lawfully ioyne to the plaintifs or defendants in the said writs of Replegiary or Second deliuerance, aswel without proces as by proces, shall ioyne vnto the sayd plaintifs or defendants aswel without proces as by proces, and haue like pleas, and like aduantage in all things (Disclaimer onely except) as they might haue done by the order of the common Law before the making of this Act. 21. H. 8. 19. S. Repleuin.

Joining in ayde.

Auowry for rentes after the estates in the same rentes be determined. Sec Rents. 1. 2. 3.

Auowson.

If any man which hath no right, doeth present vnto a Church during the Wardship of any heire within age, or during the interest of tenant by the curtesie, in dower, tenant for terme of life, or yeeres, or tenant in taylor, by the fraude or negligence of the warden of the same heire, or of any of the aforesaid tenants, the same presentation shall not be so prejudicial to the same heire, or to him to whom the reuerfion shall come after the death of any of the aforesaid tenants, but that after the heire shall come to his full age, or the Church become boye after the death of any of the aforesaid tenants, he to whom the same belongeth shall haue the same action and recovery by possessary writ to recouer the Auowson, as the last ancestor of such heire being of full age in the last auowdance falling before his death or before the demise was made for a terme, or in taylor, should haue had. And the like remedy is to be had of presentations made to Churches of the inheritance of wiues, during their couerture. Also Bishops, Archdeacons, Parsons of Churches, and other Ecclesiasticall persons shall haue remedy by this statute, if any man hauing no right doe present vnto Churches belonging to their Spirituall dignities or parsonages during the vacation of such dignities, parsonages, &c. Westm. 2. 13. Ed. 1. 5.

Usurpation during partial estates.

2. But this statute shall not be vnderstand so largely, that the foresaid persons for whose remedy it was ordained, shall haue their recovery by surmising that the sayd wardens or tenants did fainedly defend the suit moued by, or against them: for iudgements given in the Queenes Court shall not be adnulled vntill they be defeated by Error, attaint or certificat. Westm. 2. 13. Ed. 1. 5.

Iudgements given shalbe auoyded by lawful means and not by surmises.

¶ If

Remedy for a
disturbance af-
ter a particu-
lar estate ended

3 **I**f it happen after the death of the ancestor which presented, that the same Adowson be assigned in dower, or holden by the curtesie, and those tenants present, and after their death the right heire be disturbed to present, it is in his election, whether he will have a Quare impedit or Assise of Darrein presentment, and in like sort it is of Adowson demised for terme of life, yeeres or in taile. *West. 2. 13. Ed. 1. 5.*

The recoverer
shall have a
Quare impedit
of the Adowson
presentation
by composition.

4 **I**f a man doe suffer a recovery of a Manor whereunto an Adowson is appendant, he that doeth recover the same, shall have a Quare impedit upon a disturbance, as he against whom the recovery was, might have had. *7. D. 8. 4.*

5 **I**f there be agreement made betwixt severall persons which doe claime the Adowson of a Church, and inrolled before the Justices or by a fine, in this maner, that the one shall first present, and at the next auoydance another, and at the third a third, and so further, and when one hath presented for his turne, according to the agreement, and at the next auoydance hee to whom the second presentation belongeth, is disturbed by any that was party unto the agreement or some other in his stead, he that is disturbed shall not neede to sue a Quare impedit, but shall have recourse to the Roll or fine, and if the agreement be there found, he shall have a Scire fac. to warne the disturber to appeare within x. dayes or iii. weekes, according to the distance of the place, to shew if he have any thing to say why the party disturbed should not recover his presentation. And if he appeare not, or doe appeare and can say nothing why the party disturbed should not recover his presentation by reason of any deede after the agreement made or enrolled, or the fine, he shall recover his presentation with his damages. *West. 2. 13. Ed. 1. 5.*

Whurpation by
Parceners.

6 **W**hen an Adowson descendeth unto Parceners, though one present twice, and usurpeth upon his coheire, yet he that was negligent shall not be clerely barred, but another time shall have his turne to present when it falleth. *West. 2. 13. Ed. 1. 5.*

Plenertie of
the defendants
presentation.

7 **I**f the defendant doe crie in assise of Darrein presentment, or Quare impedit, that the Church is full of his owne presentation, the suite shall not remaine by reason of that plenertie, so that the writ be purchased within sixe moneths, though he can not recover his presentation within sixe moneths. *West. 2. 13. Ed. 1. 5.*

Damages in
Quare impedit or
in assise of Dar-
rein presentment.

8 **D**amages shall be awarded for two yeeres value of the Church, in a Quare impedit, and Darrein presentment, if sixe moneths doe passe by any mans disturbance, so that the Bishoppe doe conferre, and the very parson doeth lose his presentation for that time, and if the disturber have not wherewith to restore damages, he shall be two yeeres imprisoned. If the sixe moneths be not past, but the Adowson is recovered within that time, then damages shall be awarded to halfe a yeeres value of the Church, & the disturber shall be halfe a yeere imprisoned. *West. 2. 13. Ed. 1. 5. See Prerogative 9.*

9 **W**hen the Parson of any Church is disturbed to demand tythes in the next Parish by a writ of Inducitur, the Patron of the Parson so disturbed shall

shall haue a writ to demand the Adowson of thatches, in question. And when it is disproued, the suite shall so farre forth proceede in the Spirituall Court, as it was disproued in the Quenes Court. *Westm. 2. 13. Ed. 1. 5.* S. there that writs will lye of Chappels, Prebends, Vicarages, Hospitals, Abbeyes, Priories, and other houses, which be of other mens adowsons.

Badger, Lader, Carier, Drouer.

If any license be made to any Badger, Lader, Kidder, or Carier of corne, Drouer of cattel, buyer or transporter of corne and grayne, butter & cheese, ocherwise then in the generall and open Quarter Session of the peace holden in the Shire where the partie admitted, assigned or allowed, doeth, and by the space of thre yeeres before the Teste of his license, hath dwelled, or other then to such person as is, or hath bene married, is a householder, no household seruant or Retainer, and thirtie yeeres of age at the least, or to haue continuance for more then one yeere, or which beareth not date the day and place where the Sessions be holden, or is not signed and sealed with the handes and scales of thre Iustices of the peace, being present at the same Sessions at the least, whereof one to be of the Quorum, the same license is voyde, and the partie which taketh the same shall forfait five pound to the Queene and to be recovered by A. J. &c. wherein no W. &c. E. or P. &c. *5. Eliz. 1. 2. 13. Eliz. 25.*

To whom and where a badgers license shalbe made.

2. No person shall vpon paine of v. li. to be forfeited and recovered as is afore sayd, by authoritie of such license, buy any corne out of open Faire or Market, to sell the same againe, except he be therunto specially licensed by expresse wordes in his license. *5. Eliz. 1. 2.*

License to buy Corne out of a sparket.

3. All licenses made to the sayd Badgers, Ladgers, Drouers, &c. and all recognisances taken of them by the Iustices of peace in their Sessions (that they shal not doe any thing contrary to the statute. *5. Ed. 6. 14.* provided against forestallers) shall be made and written by the Clerke of the peace of the same Countie or his deputie and none other person, and the sayd Clerke shall haue xii. d. for the license, and viii. d. for the recognisance, and for the registering of them both iiii. d. at the most, for which fee the Clerke or his deputie shall keepe a Register booke, and therein shall write the names, surnames and dwelling places of such as be licensed, with a bryefe entrie of the license and of the day, time and place where it was graunted, which booke he shall bring to euery Sessions that it may appeare what number of licenses be graunted. *5. Eliz. 1. 2. 13. Eliz. 25.*

Licences and recognisances shalbe registred.

4. This Act shall not extend to preiudice the liberties of any Citie or Towne corporat, but euery of them may lawfully assigne and license purueyors for the prouision of the same Citie or Towne corporat, as they might haue done before &c. neither shall this Act be preiudiciall to the inhabitants within the Counties of Westmerland, Cumberland, Lancaster, Chester, Dorke, or any of them, but they may doe as they haue vled to doe. *5. Eliz. 1. 2. 13. Eliz. 25. S. Forestallers. Iustices of peace. 32. 33.*

Purueyors for Cities and Townes corporat.

Who is a
Bankrupt.

If any Merchant or other person using the trade of Marchandise by way of bargaining, exchange, rechange, barter, cheuifance, or otherwise in whole or by retail, or seeking his or her trade of living by buying and selling, and being subject borne of this Realme, or of any the Queenes Dominions, or Denizen, shall depart the Realme, or begin to keepe his or her house, or otherwise to absent him or her selfe, to take Sanctuarie, or suffer him or her selfe willingly to be arrested for any debt or other thing not growen or due for money borrowed, wares solde, or any other just or lawfull cause, or will suffer him or her selfe to be outlawed, or perleue him or her selfe to prison, or depart from his or her dwelling house to the intent to defraude or hinder any of his or her creditors being also a subject borne, of the just debt or duetie of such creditor or creditors, hee shall be deemed and taken for a Bankrupt. 13. El. 7.

Commissioners
shall take order
for bankrupts
bodies, lands,
and goods.

2 The Lord Chauncellour, or keeper of the great Seale, vpon complaint to him made in writing, against any such person being Bankrupt as is aforesayd, hath authoritie by Commission vnder the great Seale, to assigne such honest and discrete persons, as shall seeme to him good, who of the most part of them shall haue authoritie to take such order with the body of such person wheresoeuer he or she may be had, either in house, Sanctuarie, or els where, as well by imprisonment of his body, as with his lands, tenements, and hereditaments, as well copie or customarie holde as Freeholde, which he shall haue in his owne right before he became Bankrupt, as also with all such lands, tenements, and hereditaments, as he hath purchased or obtained for money or other recompence, toynely with his wife, childre or children, to the onely vse of such offendour, or of, or for such vse, interest, right or title, as such offendour then shall haue in the same, which hee may lawfully depart withall, or with any person or persons of trust to any secret vse of such offendour. And also with his money, goods, cattels, wares, marchandizes, and debts wheresoeuer they may be found or knownen, and cause the sayd lands, tenements, fees, annuities, offices, goods, cattels, wares, marchandizes, and debts to be searched, viewed, rented, and appraised to the best value they may, and by deepe indented, inrolled in one of the Queenes Courttes of Record, to make sale of the sayd lands, tenements, and hereditaments, and of all breves, euidences, and writings, touching onely the same, belonging to any such offendour or debtour, and also of all fees, annuities, offices, goods, and cattels, or otherwise to order the same for the true satisfaction and payment of the same creditors, that is to say, to euery of the sayd creditors a portion, rate and rate like, according to the quantitie of his debts. And euery direction, order, bargaine, sale and other things done by the sayd persons to authorisied, as is aforesayd in forme aforesayd, shall be good in Lawe to all intents against the sayd Offendour or debtour, his wife, heires and children, and such persons as by such ioynt purchase with the offendour, shall haue any estate or interest in the Premises, and against

gainst all other persons clayming by, from or vnder such offendour or debtor, by any Act, had, made or done after he shall become Bankrupt, as is aforesayd, and also against the Lords of the Manors, whereof the sayd Coppelhold or Customary lands be holden, their heires, successors and assignes, and every of them. 13. El. 7.

13. **C** All persons to whom any such sale of Coppelhold or Customary lands shalbe made, shal (before they shall enter or take any profit of the same) compound with the Lords of the Manors, of whom the same shalbe holden, for such fines or income as heretofore hath bin accustomed to be payed therefoze. And vpon every such composition the sayd Lords at the next Court to be holden, at or for the sayd Manors, shall not onely graunt vnto the sayd vendee or vendees vpon request, the same Coppel or Customary lands, by Coppel of Court roll of the same Manors, for such estate or interest as to them shalbe so solde, and reseruing the auncient rentes, customes and seruices, but also in the same Court admit them tenants of the same Coppel or customarie lands &c. as other Coppelholders of the same Manors haue bene wont to be admitted, and to receiue their fealties accordingly. 13. El. 7.

Vendees of
copp holders
shall compound
with the lordes
of the manors.

14. **C** Such of the sayd Commissioners as shal put the sayd Commission in execution, shall vpon lawfull request to them made by the sayd Bankrupts, not onely make a true declaration to the same Bankrupts of the employing and bestowing of their sayd lands, tenements, offices, fees, goods, cattels, and debtes so payd to their sayd creditors, but also make payment of the ouerplus of the same (if any such shalbe) to the sayd Bankrupts, their executors, administrators or assignes. 13. El. 7.

Commissioners
shall declare
how they haue
bestowed the
Bankrupts
goods &c.

15. **C** If after any such act or offence committed or complaint thereof made to the sayd Commissioners, or the moze part of them by any partie grieved, as is aforesayd concerning the premises, knowing, supposing or suspecting any of the goods, cattels, wares, marchandizes, or debtes of such offendour or debtor, to be in custodie, vse or possession of any person, or any person to be indebted to any such offendour, doe make relation thereof to the sayd Commissioners or the moze part of them: Then the sayd Commissioners or &c. haue full power to send for, and call before them by such proces, meanes, or wayes, as they shall thinke conuenient, every such person so knowen, suspected, or supposed to haue any goods, debtes &c. in his custodie &c. or supposed to be indebted to such offendour, and vpon his apparance to examine him as well by his othe as otherwise, by such meanes as the sayd Commissioners or &c. shal thinke meete for and vpon the specialtie, certaintie, true declaration and knowledge of all and singular such goods and debtes of any such offendour or debtor suspected to be in his custodie, vse, occupation or possession, and all such debtes as by himselfe shalbe supposed to be owing to any such offendour, And if any such person vpon such examination doe not disclose plainly and declare the whole truth of such things as he shall be examined of, concerning the premises to his knowledge, or doe vowe to swear: Then every such

Examination
of such as haue
Bankrupts
goods, or be in-
debted to them

person
shall be examined
and shall declare
the whole truth
of such things
as he shall be
examined of

Bankrupts.

person denying to sweare, or being examined do not declare the whole truth concerning the premisses, upon due prooffe thereof to be made, before the said Commissioners, or &c. by witness, examination or other wise, as to the same Commissioners or &c. shall seeme sufficient, shall forfeit the double value of all such goods, cattels, wares, marchandizes, and debtes by cheate so concealed; and not placetly and wholly declared, which forfeiture shall be leuied by the said Commissioners or &c. of the lands &c. goods &c. of such person so denying to sweare, or not disclosing the whole truth by such meanes, and in such maner and forme, as is before limited for the principall offender, the same forfeiture to be imploied to and for the satisfaction of the debtes of the said Creditors, in such like maner, rate and forme, as is aboue declared, concerning the ordering of the lands and tenements, officers, fees, goods and cattels of such offender or debter, as is afore said. 3. Eliz. 7.

CIf at any time before or after that any such person departeth the Realme, or shal keepe his house, or other wise absent himselfe, or take Sanctuarie, or suffer himselfe to be arrested, outlawed or peele his body to prison, any person doe fraudulently by contriuaunce, demand, recover, possesse or detain any debtes, duties, goods, cattels, lands or tenements, by writing, trust or other wise, which were or shal be due or appertain to any such Offender, other then such as he can and doe prouoe to be due, by right and conscience in forme afore said, for money payed, wares deliuered, or other iust consideration to the iust value thereof, before the said Commissioners or &c. and the same to proceede (bona fide) without fraude or couin, then euery such person so craftily demanding, clauing, hauing or possesing any such debt, shall forfeit double as much as he shal so claime, demand, detain or possesse, which said forfeiture shalbe leuied, recovered, and imploied in maner and forme before rehearsed. 3. Eliz. 7.

7 If it shall fortune the Creditors of any such Bankrupt to be satisfied and payed of their debtes and dueties, of or with the proper lands, goods, and debtes of the said Bankrupts, or of, or with the same, and some part of the forfeitures of the said double values, to be forfeited as is afore said, and that there shall remaine an ouerplus of the said forfeitures of the said double values, then the one moitie of the said ouerplus shalbe by the said Commissioners to executing the said Commission within convenient time after the leuying thereof, payed into the Queene &c. and the other moitie shall be distributed amongst the poore within the Hospitals in euery Cite, Towne, or Countrie, where any such Bankrupt shall happen to be. 3. Eliz. 7.

8 If any such person indebted, doe of purpose withdraw himselfe from his usual mansion house, then upon complaint thereof made to the said Commissioners, the same Commissioners or the more part of them haue full power to a ward sue Proclamations, to be made in the Queens name upon sune sundry market dayes in such places where the place where such Bankrupt hath most commonly dwelled, or made his abode, commanding

him

to warding
of such goods
and cattels
as shall be
found to be
of the said
Bankrupt

Fraudulent
possessing of
Bankrupts
lands & goods

fraudulent
possessing of
Bankrupts
lands & goods
as shall be
found to be
of the said
Bankrupt

How the ouer-
plus of the for-
feiture shalbe
employed after
the creditors
payed.

A remedie for
him which de-
parteth from
his house.

him by the same Proclamations in the Queenes name, to retorne with all convenient speede, and to peeble his body before the sayd Commissioners or one of them, at such time and place, as by the sayd Proclamation shall be appointed. And if the sayd person doe not according to such Proclamation repaire & peeble his body as is aforesaid, then y^e body of every such offender, shall be adiudged to all intents out of the Queenes Protection. And also every person that shall willingly and wittingly helpe to hide or conuey, or shall willingly and wittingly receiue, detaine, or keepe secretly any person so demanded by Proclamation, shall suffer such paines by imprisonment of his body, or pay such fine to the Queenes Maestie, her heires and successors, as so the Lord Chauceller, or Lord Keeper &c. (being informed thereof by the Commissioners, or the more part of them) shall seeme convenient for his sayd offence. 13. Eliz. 7.

Contemning of
hiding him
which is de
manded by
proclamation.

9. If the Creditors of any such offender or debter &c. be not fully satisfied or otherwise contented for their debts & duties by the meanes before specified, then the said Creditors & every of them, shall and may haue their remedy for the recovery & leuying of the residue of the said debts or duties, whereof they shall not be fully satisfied in forme aforesaid, against the sayd Offender, in like maner & forme, as they should and might haue had before the making of this Act. And the said Creditors and every of them, shall be only barred and excluded by vertue of this Act, of and for every such part of the sayd debts and duties, as shall be payd or deliuered vnto them, by order of the said persons as is aforesaid, and of no more portion or parcell thereof. 13. El. 7.

A remedy for
the creditors
which be not
fully satisfied,
according to
this statute.

10. If any person declared to be a Bankrupt by this Act, shall at any time after purchase any lands, tenements, hereditaments, free or Copy, offices, fees, goods or cattels, or that any such shall descend, reuert, or by any meanes come to him, before his debts due to his Creditors shall be fully payd, or otherwise agreed for: Then the same lands, goods, cattels &c. shall by the sayd Commissioners or the more part of them, be bargayned, solde, extended, deliuered and vsed for, and towards the payment of the sayd Creditors, in such like maner as other the lands, cattels &c. of the sayd Bankrupts, which they had, when they were declared first to be bankrupts, should or might haue bene by vertue of this Act. 13. Eliz. 7.

Extending of
lands & goods
descended vnto
or purchased
by a Bankrupt.
13. Eliz. 7.

11. This Act shall not extend to any lands, tenements, or hereditaments free or Copy hold, which shall be assured by any Bankrupt, before he become Bankrupt, so alwayes that such assurance be made (Bona fide) and not to the vse of the Bankrupt himselfe onely, or of his heires. And that the parties in whose vse such assurance shall be made, be not, at, or before the making of such assurance, or while consenting to the fraudulent purpose of any such Bankrupt to deceiue his Creditors. 13. Eliz. 7.

Lands cōceded
away before
he became
Bankrupt.

Barke.

If any person sel, or cause to be selled any Oken trees, meete to be barked, where the barke is worth two shillings a Cart load, about the charges of

Oken shall be
selled in bark
king time only.

Barke. Bastardie.

Barking and pilling (timber to be bestowed in or about building or reparations of houses, ships or mills, or any of them onely excepted) but betwixt the first day of April, and the last of June, he shal forsake every Oken tree so felled, or the double value thereof, to the Queene and Informer, to be recovered by A. T. &c. wherein no W. &c. 5. Eliz. 8.

Whosoever shall fell oken trees in barking time.

1. **Who** Taker or Purveyor of Timber, or his deputie, shal fel or cause to be felled for the Queenes vse, her heires or successors, any Oken timber tree meete to be Barked, but in Barking time (Trees to be felled for building or repaying of any her Maesties houses or ships onely excepted,) or shal in any wise take or receive any profit by any loppes, tops, or barke of any tree taken by him, or shal take, carry away, or dispose from the owner any more of any tree to be taken as is aforesayd, then onely the Timber of the same tree or trees, to be vled and bestowed or imploied onely in, vpon, or about the Queenes buildings, or shippes, vpon paine to forsake to the partie griued for euery tree, and for the loppes, tops, or barke of euery tree xl.s. And it shal be lawfull to the partie griued, of whom such trees shal be taken, or to any other for him, to withholde, retaine and keepe to himselfe, all the lop, top, and barke of such tree or trees, any Commission or other matter whatsoever notwithstanding. 5. Eliz. 8.

Barking of apple trees.

2. **Who**soever shall maliciously, willingly, or vnlawfully barke any Apple trees, Pearre trees, or other fruite trees, of any other persons, shal forsake to the partie griued treble damages, to be recovered by Action of trespassse to be taken at the common Lawe, and to the Queene ten pound for a fine. 37. H. 8. 6.

Justices of peace shal take order for bastards.

Bastardie.

To Justices of the peace, wherof one to be of the Quorum, in or next vnto the limits, where the Parish Church is, within which Parish any Bastard begotten & borne out of lawfull Patrimonie shalbe borne (vpon examination of the cause & circumstance) shal & may by their discretion, take order, as well for the punishment of the mother, and reputed father of such Bastard childe, as also for the better reliefe of euery such Parish in part or in all, and shall and may likewise take order for the keeping of euery such Bastarde childe, by charging such mother or reputed father, with the paiment of money weekly, or other sustentation for the reliefe of such Childe, in such wise as they shal thinke conuenient. And if after the same order by them subscribed vnder their hands, any the sayd persons, that is to say, mother or reputed father, vpon notice thereof, shal not for their part perfourme the sayd order: Then euery such partie so making default, in not perfourning the sayd order, shal be committed to warde to the common Gaole, there to remaine without baile or mainprise, except hee, she, or they shal put in sufficient suerties to perfourme the sayde order, or els personally to appeare at the next generall Sessions of the Peace to be holden in that Countie where such order shal be taken, and also to abide such order, as the sayd Justices

of

of Peace, or the more part of them, then and there shall take in that behalf (if they then and there shall take any,) and if at the said Sessions the said Justices shall take no order, then to abide and performe the order before made, as is above said. 18. Cl. 3. 27. Cl. 1. 1. to continue to the end of the next Parliament now next ensuing.

2. ¶ It is an auncient and appoynded Law in this Realme, that he which is borne before marriage is not legitimate to enjoy any inheritance, as hee that is borne after marriage. Meriton. 10. H. 9.

He is a Bastard which is borne before marriage.

3. ¶ In all Courts where any suite shall be commenced, wherein Bastardie shall be pleaded against any person, partie to the same suite, and there upon an issue ioyned, which by the Law ought to be certified by the Ordinarie, the Justices or one of them of the same Courts before any writ of Certificat shall passe to the Ordinarie to certifye the issue so ioyned, shall make remembrance vnder their seales or seale, at the demandant, tenant, plaintiffe, or defendantes suite, reciting the issue, and shall certifye the same to the Chancellour of England, to the intent that Proclamation may be made in the Chancellerie once every moneth by the space of three moneths, that all persons which haue any interest to object against him which pretendeth to be mulier, shall be before the Ordinarie to whom the Certificat shall be directed, to alledge, and object against the partie pretending to be mulier, as the lawes of the Church doe require. And the Chancellour having notice of the same remembrance and issue ioyned, and being required by one of the foresayd parties, shall cause the said Proclamations to be made in foure aforesayd, and shall certifye the same into the Court where the suite shall depend. And the Justices of the Court where the suite shall be commenced, shall make one Proclamation openly in the same Court before any Proclamation made in the Chancellerie, and another after the Chancellours hath certified, and then the Judge shall at the said writ of Certificat to the Ordinarie, to certifye of the issue ioyned. And if any writ of Certificat be granted before all the Proclamations in foure aforesayd be made and certified, the said Certificat, and the Certificat of the Ordinarie thereupon made, shall be voyde in Law. 9. H. 6. 11.

Proclamations made before the writ to the Bishop to certifye Bastardie.

1. By what meanes Bastardie shall be tried when it is pleaded against one borne beyond the sea. S. Abilitie 2.

Barwicke.

¶ All merchandizes that shall be brought out of Scotland, or the Isles of the same, into this Realme, Ireland, or Wales, shall be first brought to Barwicke. And none vnder the Queenes obeyssance shall buy such merchandizes, before that it be brought, sold and customed there (except at Carlisle, and the Portes and Creekes pertaining to the West March.) And also none vnder the Queenes obeyssance shall carry any merchandize being in England, Ireland or Wales, into Scotland, or into the Isles of the same. And none vnder the Queenes allegaunce shall sell merchandize of England,

Merchandizes are conveyed into or out of Scotland shall be brought to Barwicke.

Wales or Ireland, or any inhabiting in Scotland, except at Barwicke and Carlisle. No marchandize shall be shipped betwene Linnmouth and Barwicke, but onely in the Port of Barwicke. No man shall cause to be solde Salmon taken in Tweed but the Burgesses, and they that be enfranchised in Barwicke. And he that offendeth, or doeth with any marchandize contrary to this ordinance, shall forfeite the same to the Q. and him that wil seise, or sue for the same by Bill of debt, wherein no Act. C. 13. c. 22. Ed. 4. 8.

1 For payment of Mortuaries in Barwicke and the Marches thereof. See Mortuaries.

Byshops.

If the Deane and Chapter of any Cathedral Church where the sea of any Archbyshop or Byshop is, within any of the Queenes Dominions, where the Queenes license under the great Seale is graunted vnto them to proceede for the election of any Archbyshop or Byshop of the Sea being voyde, with a letter missiue containing the name of the person which they shall chuse; after such license deliuered vnto them, proceede not to election within xii. dayes, and signifie the same under their common Seale vnto the Q. her heires or successors within xx. dayes next after such license shall come to their hands; or if any Archbyshop or Byshop within any of the Queenes Dominions, after any such election, nomination, or presentation, halbe signified vnto them by the Queenes letters patents, shall refuse and doe not confirme, inuest, and consecrate with all due circumstance, every such person so elected, nominated or presented, and to them signified within xx. dayes next after the Queenes letters patents, or such signification, or presentation shall come to their hands, or els if any of them, or any other person, admitt, maintaine, allowe, obey, doe, or execute any censures, excommunication, interdictions, inhibitions, or any other process or Act to the contrary or let thereof, then every Deane and particular person of the Chapter and every Archbyshop and Byshop and other person so offending and doing contrary to any part hereof, their ayders, counsellors and abettors, shall runne in the dangers and penalties of the statute of Prouision and Præmunire made, 25. Ed. 3. c. 16. R. 2. 25. H. 8. 20. 1. Eliz. 1.

1 For a writ to the Byshop to certifie Bastardie. See Bastardie. 3. Abilitie. 2.

2 What assurances made by Byshops, &c. of their landes shalbe good and what not. 3. Ecclesiast. 6.

3 That a Byshop may visite every Hospitall within his Diocesse. See Hospitals. 1.

4 That Byshops may punish Priests, Clerkes &c. for incontinencie. See Incontinencie. 1.

Books.

If any person resiant or inhabitant within this Realme, shall buy or sell Lagaine, any printed Bookes, brought from any parts out of the Queenes obeyesance,

What a lawe
of the great
council shall
be made

Election of
Byshops.

Consecrating
of Byshops.

Books bought
from beyond
seaboard.

obeyfance, ready bound in boordes, leather or parchment, he shall forfeite for every booke bound out of the Queene's obediencie, and brought into this Realme, and bought by any person within the same to sell againe, vt. s. viii. d. to the Queene and the partie that will leise or sue for the same, by A. J. &c. wherein no. lxx. c. c. p. 25. p. 8. 15.

2. If any person inhabitant or resident within this Realme, shall buy within this Realme of any Stranger booke out of the Queene's obediencie (after then of Denizens) any printed bookes brought from any partes beyond the Sea, (except onely by engrosse) and not by retale, he shall forfeite for every booke so bought by retale vt. s. viii. d. to the Queene and the partie that will leise or sue for the same by A. J. &c. wherein no. lxx. c. c. p. 25. p. 8. 15.

3. If any Printers or Sellers of printed bookes, inhabiting within this Realme, doe at any time in such wise enhance and increase the prices of any such printed bookes in sale or binding at too high and unreasonable prices, in such wise as complaint be made thereof to the Queene or unto the Lord Chancellor, Lord Treasourer, or any of the chiefe Justices of the one Bench or of the other, then the same Lords or two of any of them shall have authoritie to enquire thereof, as well by the othes of xii. honest and discrete persons, as otherwise by due examinations by their discretions. And after the same enhancing, or increasing of the said prices of the said bookes and binding, shall be so found by the said gentlemen, or otherwise by examination of the said Lord Chancellor, Lord Treasourer, and Justices, or two of them, then the same Lords or two of them at the least, shall have power to reforme and redresse such enhancing of the prices of printed bookes from time to time by their discretions, and to limit prices as well of the bookes, as for the binding of them, and oner that the offender or offenders thereof being convicted by examination of the same Lords or two of them, or otherwise, shall forfeite for every booke by them sold, whereof the price shall be enhanced, for the booke or binding thereof, vt. s. viii. d. to the Queene and partie grieved that will complaine vpon the same, in maner and forme aforesaid. p. 25. p. 8. 15.

Boatmen, Watermen, Barges, Boates, &c.

The Mayor and Court of Aldermen of the City of London, at their first Court of Aldermen, holden within the sayd City next after the first day of March, shall secretly appoint a choise eight persons of the most wise, discrete, and best sort of Watermen, being householders, and occupying as Watermen vpon the River of Thames, betwene Grauesend and Windsor, and the same eight persons so elected shall be called the Overseers and rulers of all the Watermen & Watermen, that after the said first day of March, shall use or exercise any rowing vpon the sayd River of Thames, betwene Grauesend & Windsor, which said Overseers shall keepe good order & obedience amongst the sayd Watermen, according to the true meaning of this

Books brought from beyond sea bought in gross.

The price of

Books brought from beyond sea bought in gross.

The price of Books enhanced.

Eight Overseers of Watermen.

Boatemen, Watermen, Barges, Boates, &c.

Overseers neg-
lecting or refus-
ing their
counsell.

Overseers shall
order & water-
men, & register
their names.

Overseers shall
view & boats
before they be
launched forth

Two Water-
men shall not
row but where
one of them is
allowed by the
Overseers.

Statute. And if any person elected to be an overseer, doe negligently exco-
use his counsell, or will obstinately refuse to take upon him the same, then he
shall forfeite to the D. & N. v. l. to be recovered by A. J. or. wherein no C. l.
C. 3. A. 2. & 3. P. & P. 16.

2 It is lawfull to the sayd right Ruler for the time being, and their
successors from time to time, to call before them at some convenient place by
them to be appointed, all and every such person and persons which shall be
the sayd trade of rowing betwixt Grauesend and Windsor, and shall Re-
gister the names of every of them that shall be by them allowed or admitted
for Watermen to rowe betwixt Grauesend and Windsor, in a Booke
made for the same intent, and to take such further order therein with every of
the sayd parties, as it shall seeme meete by the discretion of the sayde over-
seers: And also the sayd overseers shall and may oversee, viewe, and sur-
vey at all times, all Boates and Whories that shall be made, before the
same be launched out of the water or ground, wherein they shall be made, in-
to the sayd River of Chamise, to the intent that they and every of them
may be made and prepared in such maner and founne, and according to
the goodnesse, proportion and quantitie in this Act limited. And the Ma-
yor and Aldermen of London, and the Iustices of Peace within the Shires
next adjoining to the River of Chamise, every of them within their se-
uerall Jurisdictions have authoritie upon complaine made to them or any
of them, by the sayd overseers or two of them, or the Master of any ser-
uant, not onely to examine, heare and determine all complaynts and offen-
ces committed by any such person that shall offend contrary to the true
meaning of this Act, and to set at large every such person as shall be im-
prisoned by the sayde overseers according to this Act, if just cause shall
appeare unto them to do so: But also by their discretion to punish, cor-
rect, and reforme the sayde overseers and every of them, that shall wil-
fully punish any person by colour of this Act or. 2. and 3. P. & P. 16. See
Iustices of peace. 105.

3 No persons where two Watermen & not above two shall rowe to-
gether in one Boate or Whorie in any place betwixt Grauesend and Wind-
sor, shall receive any person into their Boate or Whorie to the intent to cary
him therein, unless one of the sayd two Watermen, have bene by the most
part permitted to rowing upon the sayd River of Chamise by the space of
two whole yeeres before that time. And also that one of the sayd two Wa-
termen at the least be duly admitted and allowed by the sayd right overseers,
or the most part of them by writing under their hand and seale, to be a
sufficient and able Waterman, upon paine that every person presuming to
offend contrary to the true meaning of this Act, shall by the sayd right o-
verseers be committed to prison in one of the Counters of the Citie of
London, there to remaine one moneth or less as the offence shall require.
2. & 3. P. & P. 16.

14. **N**o person being a single man, not keeping household, and not retainer, shall use to rowe betwixt Grauesend and Windsor, vntlesse he be prentice, or in seruice retained with a master by the whole yeere at the least, vpon paine of like imprisonment, 2. & 3. P. & B. 16.

No single man shalbe a waterman.

15. **I**f any person shall make any Whirle, or Boate, to the intent commonly to vse rowing and carrying people vpon the said Riuer of Thame, which shall not be xxi. foote and a halfe in length, and foure foote and a halfe broad in the midst, or which shall not be substantially and well able and sufficient to carry two persons on one side tight according to the old quantity, scantling, thicknesse of boord, goodnesse and good proportion heretofore had and vset: Then the same Boate being made contrary to the proportion and sort before expressed, shall be taken as forfeit, and shalbe forfeit to the Q. and A. to be recouered by A. J. &c. wherein no W. &c. P. or J. &c. 2. and 3. P. & B. 16.

The length, breadth, and goodnesse of Boates.

16. **I**f any person which shall vse the occupation of rowing betwixt Grauesend and Windsor, which in the time of the execution of any commission of pressing, that shalbe had for the seruice of the Queene, her heires and successours, in their affaires, shall willingly and obstinately hide, or conuey himselfe in the same time of pressing, into secret places, and out corners, and after when such time of pressing is ouerpast, shall returne againe to the said Riuer of Thame, to rowe betwene Grauesend & Windsor, and that duely proued by two indifferent witnesses before the Mayor of London and Court of Aldermen, or Iustices of the Peace, and two of the said Rulers, then he so offending, shall suffer imprisonment by the space of two weekes, and be banished any more to rowe from thenceforth vpon the said Riuer of Thame, by the space of one whole yeere and a day then next following, 2. and 3. P. and B. 16.

Watermen which hide themselves in the time of pressing.

17. **E**very person authorised to rowe betwene Grauesend and Windsor, that shall take for his fare and labour aboue the prizes assessed by the Mayor and Court of Aldermen of London, and vset, signed, and subscribed with two at the least of the Queenes priue Counsailes handes, and written and set vp in tables in the Guild Hall, Westminster Hall &c. shall suffer imprisonment one halfe yeere, and also shall forfeit for every such offence to the Queene and A. J. &c. to be recouered by A. J. &c. wherein no W. &c. P. or J. &c. for the Mayor and Court of Aldermen of London, shall from time to time assesse the summes of money that every person authorised to rowe betwene Grauesend & Windsor, shall take for his labour or fare from place to place particularly betwixt Grauesend and Windsor, 2. and 3. P. and B. 16. By the Statute made 6. P. & B. 7. there was established a certaine rate and wages that watermen should take for their fare betwixt one place and another neere unto the Citty of London, but it seemeth that the force of the statute is taken away by the foresaid branch. See quere.

What fare watermen may take.

The servants of watermen.

18. **N**o person occupying any Westerne Barge, shall retaine, take or receiue

The servants of watermen.

Botemen, Watermen, Barges, Boates, &c

receiue into his seruice; any single person not keeping house or household, but onely such as shall be retained with him by the whole yeere, & no householder, but onely such as he will, or shall answer for his good behauiour, upon paine and forfeiture to the D. & J. l. s. to be recovered by A. J. &c. wherein no M. C. P. J. &c. and 2. and 3. P. and P. 16. It seemeth that this branch is repealed by the generall wordes of the statute of 5. Eliz. 4. which repealeth all statutes and every branch of them which touch or concerne the hiring, keeping, departing, working, wages or order of seruantes, workemen, artificers, prentices, and labourers &c. Sed quare

**Passengers
upon the banks
of Seuerne.**

9 **N**o person shall interrupt by any obstacle, let or otherwise, any person or persons passing or repassing, on & upon any of the paths being of a foot or and a halfe broad, lying on every side of the Riuer of Seuerne, & time out of mind accustomed, nor shall aske, take, or demaund any tolle called a draught, or bottell of wine, or any other tax or imposition of any of the Queenes subjects there going in the said paths accustomed, there haling or drawing their boates, troughs, or vessels upon paine to forfeit. for every time that he shall interrupt any of the Queenes subjects, or aske or take any such imposition, by what name soeuer it be called, l. s. to the D. and partie grieved, to be recovered by A. J. &c. wherein no M. C. P. &c. 9. P. 6. 5. 23. P. 8. 12.

**Imposition of
Boates upon
Seuerne.**

10 **W**ho soeuer doth take any imposition of any of the Queenes liege people, for any Crowe, Boate, or other vessel for any goods or marchandises caried in and upon the Riuer of Seuerne, or doth weye or interrupt any Boates, Crows or vessels so passing by the said Riuer, for any such imposition, or otherwise against the Queenes lawes, (Except such which by decree made betwixt xx. Januarii Anno Dom. 1503. and the Ascencion day, Anno Dom. 1504. by the Kings Councell in the Statre Chamber obtained the same) shall forfeit for every such offence xx. li. whereof the Queene shall haue two partes, and the partie that will sue by popular A. of whiche the other part, whereof no M. C. P. &c. 19. P. 7. 182.

**Recompence
for hurts done
by Barge-men.**

11 **B**ut any person having landes or meddowes adioyning to the said water of Seuerne, may take of every person going upon his landes and meddowes, and passing any Boate, Crowe or vessel, reasonable recompence for such hurts as he shall sustaine by reason of any such going, or passing, 19. P. 7. 182. except of such as shall passe or repasse upon any of the paths of every side of the said Riuer, being of a foot and a halfe broad or thereabouts, and time out of mind accustomed as is aforesaid, 23. P. 8. 12.

**Transporting
offenders into
or forth of
Wales at un-
lawfull times.**

12 **I**f any person taking upon him to haue and keepe any passage upon the Riuer of Seuerne, to carry with any Barge, Boate, or other vessel, any person or persons with Houses, Hares, Kine, Oxen, or other cattell, or any other person before the Sunne rising in the morning, or after the Sunne being set at the night, ouer any of the said passages but of England into Wales, or the Forest of Deane, or out of Wales, or the Forest of Deane into England, unless the said passenger hath good knowledge of such person and

and persons, and euery of their dwelling places, and vpon request to him made by any person or persons, doe disclose the name and dwelling place of euery such person and persons, so by him conueyed ouer the said water to any such person or persons so requiring the same, if suite be made for and after them vpon any outcry, hup, or fresh suite of, or for any felony, robbery, murder, and manslaughter committed, he shalbe imprisoned and also pay a fine, 26. H. 8. 5. S. Iustices of peace 81.

1. The forfait of Boatemen for carrying any Corne &c. to a Ship to be transported, S. Corne 2.

Bowes, Bowstaues.

If any marchant stranger, or any seruant, Atturney or Factour of any of them, which will bring, send, or conuey into this Realme any marchandise in Caracke, Galley or Ship, from the Citie or Countrey of Venice, or any Countrey from the East partes, from the Ixxii. Haunce Townes, or from whence any Bowstaues haue bene heretofore brought, doe not bring in the same Ship wherein the marchandises be, for euery tunne weight of marchandise liii. Bowstaues, he shall for. to the Q. and J. vi. s. viii. d. for euery default of bringing euery Bowstasse, to be recovered by A. J. &c. wherein no W. C. P. &c. 12. Co. 4. 2. 13. Eliz. 14.

Four Bowstaues brought in for euery tunne of marchandise.

2. If any marchant of Venice, or other, shall bring or conuey into this Realme any Palmes or Tyre, and doe not bring with euery But of either of them ten Bowstaues good and able stuffe, he shall for. xiii. s. iiii. d. to the Q. and J. &c. for euery But so brought, and not of the said number of Bowstaues with the said But. And the said Bowstaues shall not be sold vngarbled, but to such persons as be bounde vnder the Q. obedience, 1. Rich. 3. 11.

Ten Bowstaues brought in for a But of Palmes or Tyre.

3. If any person vnder the age of xviij. yeeres, doe shoot in any Bowe of Cwe brought for him, he shall for. vi. s. viii. d. (except his father or mother haue landes or tenements to the yeerely value of ten pound, or be worth in mouebles the summe of fourtie markes,) 33. H. 8. 9.

Bowstaues garbled.

Who may shoot in Bowes of Cwe.

4. If any Bowier dwelling within the Citie or Suburbes of London or Westminster, or the Borough of Southwarke, wanteth by the space of twentie dayes, fittie good and able Bowes of Cline, Mitchelell, or Athe ready made, and meete to be sold and used, he shall for euery Bowe so wanting of the forsaide number for. x. s. to the Queene & Informer &c. being an Armourer, Fletcher, or Bowstringmaker, to be recovered by A. J. &c. wherein no W. C. P. &c. 8. Cl. 10. And euery Bowier dwelling else where, which doth not so, euery Bow which he maketh of Cwe, make four other Bowes of some other wood apt for shooting, shall for. for euery Bow so wanting to the Queene and Informer &c. iii. s. iiii. d. 33. H. 8. 9. 8. Eliz. 10. anno D. 1558.

Bowes of Cline, Athe, Mitchelell.

5. If any Bowier doe sell any Bowe meete for mens shooting being of ourlandish Cwe, and of the best sort, aboue the prize of vi. s. viii. d. of the second sort aboue iii. s. iiii. d. of the course sort called liuerie Bowes aboue two shillings of English Cwe aboue ii. s. a piece, he shall for. for euery Bowe so

The prices of Bowes.

Brasse, Latten, Copper, and Bell mettall.

so sold about the price aforesaid xl. s. to the Queene and Infanterie &c. being an Armorer, Fletcher, or Bowstring maker, to be recovered by A. J. &c. wherein no W. J. &c. 8. Eliz. 10. 3. 1. Eliz. 10. to continue in force untill the end of the next Parliament, S. Archerie.

That Bowstaues brought into this Realme, shall be searched and marked, S. Corporations 27.

Brasse, Latten, Copper, and Bell mettall.

No brasse, latten &c. shalbe transposed.

NO persons shall carry or convey, or ship to the intent to carry or convey any Brasse, Copper, Latten, Bell mettall, Pewee mettall, Gunne mettall, or Shroffe mettall, whether it be cleare or mixed (Tinne and Lead one-ly excepted) into any part beyond the Sea, or into any outward dominion, upon paine to forfeit the double value thereof, and x. li. for every thousand weight of the same mettall so carried, or shipped to the intent to be carried, to the Queene and J. to be recovered by A. B. J. &c. wherein no W. J. &c. 33. H. 8. 7. 2. Ed. 6. 37.

Trial of a for-
raine act with
in this realme.

The arrivall, discharge and deliverie of the said mettals in any for-
raine dominion, shall be tryed and determined within this Realme in such Countie or place, where the said mettals were shipped or first carried, with like proces, and determination, as all other informations or actions betryed and adjudged within this Realme, or as the same fact had bene done within this Realme, 33. H. 8. 7. 2. Ed. 6. 37.

He shall be
bound which
carrieth met-
tals to dis-
charge & same
within this
Realme.

NO person shall ship, or carrie any of the said mettals prohibited by this statute, to carrie or discharge the same in any part of this Realme, un-
lesse before the shipping thereof he doe declare to the Customer of such Port or Creeke, where the same mettall shalbe shipped, the true weight of al such mettall as shalbe shipped, and shall also before the shipping thereof, make a sufficient Obligation in the lawe, in which he shalbe bound to the said Cu-
stomer to the Queenes use, in such summe as shall amount to the double va-
lue, and tenne pound for every thousand weight so declared, with condition
that the same mettals shalbe discharged at some Port or Creeke within this
Realme, and in no other place upon paine to forfeit the same. And every
such person that shal ship such mettals, and shalbe bound as is aforesaid, shall
within eight moneths next after the shipping thereof, bring a true certificat
from the Customer of the Port, Creeke or place, where he shall discharge
the same, certifying that the same mettall so shipped & the true weight there-
of is there discharged, which certificat the Customer of such place where the
said mettall shalbe discharged, shall upon discharge thereof make and deli-
ver to the partie so discharging, or to his factor without any delay. And if
the Customer or his deputie doe make a false certificat concerning the dis-
charging of such mettall; then hee shall lose his office, and the value of the
goods concealed out of the said certificat. And if any Customer, Comptrol-
ler, or his deputie by any undue meane will suffer any person, after the met-
tall is shipped or carried contrary to the meaning of this Act, to make an Ob-

Customer of
the Port.

ligation

ligation without date for the discharge and certificat of his mettall, then such Customer so suffering or receiuing such Obligation, shall lose his office, and the value of the mettall so shipped or carried, And if any Master, Owner, Purser, or Wotswaine of any Ship, doe willingly permit any of the mettals abovesaid to be shipped contrary to the tenor of this Act, or else perceiuing any such mettall to be shipped, doe not disclose the same within three dayes after knowledge had to the Customer or Comptroller of the same Port or his deputie where the same is shipped, then he shall forfeit the double value of the same mettall, to the Q. & I. to be recovered by A. B. P. I. &c. wherein no M. C. P. &c. 33. H. 8. 7. 2. Ed. 6. 37. S. Customs &c. 19.

Master of the ship which carries the mettall

4. If the said mettall by tempest of weather be drowned, or by enemies or Pirates robbed and spoiled, and that sufficiently prooued without fraude before the Customer and Comptroller, or their sufficient deputies in the Port where the partie so shipped the mettals aforesaid or any of them, by the said partie or his executors, then he bringing such sufficient prooue, shall haue his Obligation to him deliuered, or else he and his executors thereof shall be clerely discharged, 33. H. 8. 7. 2. Ed. 6. 37.

If the mettall be drowned or robbed by pirates.

5. No person shall lade, shippe, or carry into any part beyond the Sea, any of the mettals aforesaid, but onely out of such Port or Creeke where the Customer or his deputie is resident and dwelling, vpon paine of forfeiture of the said mettall, &c. 1. li. for euery thousand weight so shipped or carried to the Queene and I. to be recovered by A. B. P. I. &c. wherein no M. C. P. &c. 2. Ed. 6. 37.

No mettall shall be laden but where there is a Customer.

1. Where vessell of Brasse shall be sold, of what goodnesse it shall be, and what waight shall be thereof vsed, S. Pewter 1. 2. 4.

Bridges.

Where it cannot be knowne and prooued what Hundred, Riding,wapentake, Citie, Borough, Towne or Parish, nor what person certaine, or body politique, ought of right to make Bridges decayed, in euery such case the said Bridges (if they be without Citie or Towne corporat) shall be made by the inhabitants of the Shire or Riding within the which the said Bridge decayed shall be, and if it be within any Citie or Towne corporat, then by the inhabitants of euery such Citie or Towne corporat. And if part of any such Bridges be in one Shire, Riding, Citie, or Towne corporat, and the other part thereof in another Shire, Riding, Citie, or Towne corporat, or if part be within the limits of any Citie or Towne corporat, and part without, or part within one Riding, and part within another, then the inhabitants of the Shires, Ridings, Cities, or Townes corporat, shall be charged to make and repaire such part of such Bridges so decayed, as shall lie and be within the limits of the Shire, Riding, Citie, or Towne corporat, wherein they be inhabited at the time of the same decayes, 22. H. 8. 5.

If remedie where it is not knowne who ought to repaire Bridges decayed.

2. In euery such case where it cannot be knowne and prooued what persons lands, tenements, and bodies politique, ought to make and repaire such

The inhabi-
tants of the
shire taxed for
the amending
of decayed
Bridges.

such Bridges, the Justices of peace within the Shires or Ridings where in such decayed Bridges be, out of Cities and Townes corporat, and if it be within Cities or Townes corporat, then the Justices of peace within every such Citie or Towne corporat, or foure of the said Justices at y^e least, whereof one to be of the Quorum, haue power within the limits of their seuerall commissions, to cal before them the Constables of every Towne & Parish within the Shire, Riding, Citie, or Towne corporat, aswell within liberties as without, wherein such Bridges or any parcell thereof shall happen to be, or else two of the most honest inhabitants within every such Towne or Parish, &c. by the discretion of the said Justices &c. and vpon the apparance of such Constables or inhabitants, the said Justices, or foure of them, whereof one to be of the Quorum, with the assent of the said Constables or inhabitants, haue power to take, and set every inhabitant in every such Citie, Towne, or Parish within the limittes of their commissions, to such reasonable aide and summe of money, as they shall thinke sufficient for the reedifying and amending of such Bridges, and after such taxation made, the said Justices shall cause the names and summes of every particular person so by them taxed, to be written in a roule indented, 22. H. 8. 5.

Collectours of
every hundred.

3 And the Justices of Peace haue power to make two Collectours of every Hundred, for collection of all such summes of money by them taxed, which Collectours receiuing y^e one part of the said roule indented vnder the seales of y^e said Justices, shal haue power to collect al the particular summes of money therein contained, & to distraine every such inhabitant, (as shall be taxed & refuse payment thereof) in his lands, goods and catells, & to sell such distresse, and of the sale thereof retaine and receiue all the money taxed, and the residue (if y^e distresse be better) to deliuer to the owner thereof, 22. H. 8. 5.

Surueiours
which shall see
the Bridge
repaired.

4 And the same Justices or foure of them, within the limits of their commissions, haue power to appoint two Surueiours, which shall see every such decayed Bridge repaired from time to time as often as neede shall require, to whose hands the said Collectours shall pay the said summes of money taxed and by them receiued, and every of the Collectours & Surueiours, their executors and administrators &c. from time to time shal make a true declaration and accompt to the Justices of peace of the Shire, Riding, Citie, or Towne corporat, wherein &c. or to foure of y^e same Justices, whereof one to be of the Quorum, of the receipts, payments and expences of the said summes of money. And if they or any of them refuse that to doe, then y^e same Justices of peace or foure of them, haue power to make Proces against the said Collectours, Surueiours &c. and every of them, by attachements vnder their seales, returnable at the generall sessions of the peace: and if they appeare, then to compel them to accompt as is aforesaid, or else if any of them refuse that to do, then to commit him to ward, there to remaine without baile or maineprise, till the said declaration and accompt be truly made. And the Justices of peace, or foure of them, haue power to allowe such reasonable

Collectours and
Surueiours
accompt.

costes

costes and charges to the said Surueiours, and Collectours, as by their discretion shalbe thought conuenient, 22. H. 8. 5.

5. And where any Bridge or Bridges lie in one Shire or Riding, and such persons inhabitants, bodies politique, landes or tenements, which ought to be charged to the making and amending thereof, lie and abide in any other Shire or Riding, or where such Bridges bene within any Citie or Towne corporat, and the persons inhabitants, bodies politique, landes or tenements that owen to make or repaire any such Bridges, lye and be out of the said Citie or Townes corporat: In euery such case the Iustices of Peace of the Shire, Citie, or Towne corporat, within the which such decayed Bridges or any part thereof shall be, haue power to enquire, heare, and determine all such anoyances being within the limites of their Commissions. And if the anoyance be presented, then to make Procees into euery Shire within this Realme, against such as owen to make, or amend any such Bridges, so presented before them to be decayed to the anoyance and let of the passage of the Queenes subiects: And to doe further in euery behalfe in euery such case as they might doe by authoritie of this Act, in case that the persons landes &c. which owen to be charged to the amending or making of such Bridges, or any part thereof were in the same Shire, Riding, Citie, or Towne corporat, where such anoyance shall happen to be. 22. H. 8. 5.

6. This Act shall not be prejudiciall to the libertie of the five Portes, or members of the same, for reformation of anoyances of Bridges within the said Portes and members, but the Warden, Maiors, and Bailifes elected, and Iurates of the same Portes, and euery of them haue power to enquire, heare, and determine all manner of common anoyances of Bridges within the same Portes and members, and to make such procees, paines, captations, and all other things within the same Portes and members, as the Iustices of peace may doe in other Shires or places out of the same Portes, by vertue of this Act in euery behalfe, 22. H. 8. 5.

7. Iustices of peace, or foure of them at the least, whereof one to be of the Quorum, haue power to enquire, heare and determine in their generall Sessions, of all anoyances of Bridges broken in the high wayes, and of all anoyances of high wayes which lie next adioyning to the endes of Bridges, and CCC. foote from the same distant, and to make Procees and paines against such as ought to be charged &c. And to doe in euery thing, concerning the making, repairing, and amending of euery such high way, in as large manner as they may doe, for the making, repairing, and amending of Bridges by this act, 22. H. 8. 5. Iustices of peace 70.

8. That Sherifes and Bailifes of liberties shall execute procees directed to them from the Iustices touching anoyance of Bridges. 31.

9. Any Brier, which buyeth Beere or Ale to sell, shall by himselfe, or other to his use, greue the myserie of Cowpers, or make Bards, Biderkins, or Firkings

Procees as
against the par
ties in another
Shire which
should repaire
the Bridges.

To enquire of
the decayed

To enquire of
the decayed
in euery
Shire

Five Portes,

To enquire of
the decayed
in euery
Shire

Bridges de
cayed and the
high way
thereunto
adjoyning.

To enquire of
the decayed
in euery
Shire

No Brier shall
be a Cowper.

Bruer. Burning. Butcher.

Firkins, or other vessels of wood, by himselfe, or any of his owne seruants, wherein to put his Beere or Ale to sale; he shall forsaite for euery vessel made contrary to the tenour of this Act iii. s. viii. d. to the D. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. But a Beere Bruer, or an Ale Bruer may keepe in his seruises Cowpers, to bind, hoops, punne, & amend his vessels, 23. H. 8. 4.

The prices of
Ale and Beere

2. If an Ale or Beere Bruer do sel or take for any Barrell, Kilderkin, or Firkin of Ale or Beere aboue such prices and rates as shall be assessed by the Iustices of peace in the Shire, or by the Mayor, Sheriffe, or head Officer of the Citie, Borough, or Towne corporat, where the said Ale or Beere Bruer doth dwell, he shall forsaite for euery Barrell so sold vi. s. for euery Kilderkin iii. s. iii. d. for euery Firkin ii. s. for euery lesse vessel xii. d. and for a greater then a barrell x. s. to the Queene and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 23. H. 8. 4. Justice of peace. 78. Corporations 12. Cowpers. 1. 2. 4. &c.

Burning.

Burning of
an other mans
goods or
woods.

W hoseuer doth maliciously, wilfully, & unlawfully burne, or cause to be burned, any Maime, or Cart laden with another mans goods, or any heape of wood of any other persons prepared and felled for making of Coales, Billets, or Tull wood, shall for. to & partie grieved, treble damages, to be recovered by action of trespass, & to the D. & J. for a fine, 37. H. 8. 6.

Butchers.

A Butcher
shall not buy
cattell and sell
them alive.

If any person being a Butcher, and vsing the myserie of Butcherie, shall buy any fatte Oxen, Steeres, Ronts, Kine, Veisoxs, Calues, or Sheepe, and sell, or cause to be sold the same againe on line, he shall forsaite to the D. and J. the same Oxen, Steeres &c. bargained or sold to be recovered by A. J. &c. whete in no W. C. P. &c. But euery person being a Butcher, & vsing the myserie of Butchery, shall and may at his pleasure buy any fat Oxen, Steeres, Ronts, Kine, Veisoxs, Calues, and Sheepe, or any of them out of any open Faire or Market, so that he sell not, nor cause the same to be sold againe on line, 3. Ed. 6. 19. 31. Eliz. 10. to continue to the end of the next Parliament now next ensuing.

Calues calued
betwene the
first day of
Januarye and
May.

2. No person or persons being Butchers, or other inhabiting within this Realme, Wales, or the Marches of the same, shall kill or cause to be killed, any manner yong suckling, calfe or calues, to be sold or put to sale to any person or persons, whole or by retails, which Calfe or Calues to be killed that happen to fal or to be calued betwene the first day of Januarye and the first day of May, vpon paine of forsaite of vi. s. viii. d. for euery Calfe calued or fallen betwene the said dayes, and killed and put to sale contrary to this Act, to be forsaite & paid by euery such Butcher or other person, which shall kill or cause to be killed and put to sale any such Calfe so calued &c. to the D. and J. to be recovered by B. A. J. in any of the Queenes Courtes, wherein no W. C. P. &c. Provided alwayes that euery Lord Parcher shall haue

haue the forfeitures, profits and aduantages, onely of such offendor against this Act within their Prouinces, within their Segniories, Liberties and Franchises ropall, 24. H. 8. 7. 14. Eliz. 11. to continue vntill the end of the next Parliament.

3 **C**If any Butcher or other person inhabiting within this Realme, Wales, or the Marches of the same, do kil, or cause to be killed any Weaneling, Bullocke, Steere, or Heifor, being vnder the age of two yeeres, to the intent to sell the same whole or by retails, he shall forfeit to the Q. and J. for euery such Weaneling killed, and put to sale vi. s. viii. d. to be recovered by A. J. &c. wherein no W. E. P. &c. 24. Hen. 8. 9. 31. Eliz. 10. to endure to the end of the next Parliament now next ensuing.

Butchers shall
kill no wean-
lings.

4 **C**If any Butcher or other person shall kill any Calf to sell, being vnder v. weekes old, he shall forfeit for euery Calf so killed vi. s. viii. d. 5. El. 8.

Butchers shall
kill no calves
vnder five
weekes old.

5 **C**If any person occupying the craft of a Butcher, doe vse by himselfe or any other, the occupation of a Tanner, he shall forfeite for euery day that he shall vse the feate of a Tanner vi. s. viii. d. 5. Eliz. 8.

No Butcher
shalbe a Tans-
ner.

6 **N**o Butcher or his seruant shall kill any beast within the scalding house in London, or within the wall of London, vpon paine to forfeite for euery Ox xii. d. & for euery Cowe & other beast viii. d. to the Q. and him that will sue by A. of debs, where no C. P. &c. And this Act extendeth and shall be obserued in euery Citie, Borough, and Towne walled within England, and in the Towne of Cambridge, (the Townes of Berwicke and Carlisle excepted) 4. H. 7. 3.

Butchers shall
not kill cattell
within any
walled towne.

7 **A** Butcher that selleth Swines flesh melled, or flesh dead of the morien, (after he shall be conuicted thereof) for the first time he shall be grievously amerced, the second time he shall be iudged to the Pillory, the third time he shall be imprisoned and make fine, and the fourth time he shall forfeit we are the Towne. And in this maner shall it be done of all that offend in like case, as of Cookes that seeth flesh or fish any wayes that is not holtsome for mens body, or after that they haue kept it so long, that it loseth the naturall holtsomes, then seeth it againe and sell it. 51. H. 3. 51. E. 1.

A Butcher
shall not sell
melled or mor-
taine flesh.

Cookes.

1 That Butchers shall not gash any hides, S. Leather 1.

2 That Butchers shall not conspire to sell their victuals at certaine prices, S. Artificers 1.

Butler of the Queene.

The Steward of the Queenes house and Treasurer of the Wardrop, shall send to all the Portes of England where Wines be to be taken to the Queenes vse, the certaine number which the Butler shall take in euery part, so that nothing be taken ouer that number: And the Maior, and Bailifes of the said Portes shall certifie the said Steward and Treasurer, of the number of all the Tunnes so taken by the Butler or his Lieutenant vnder the seale of the said Maior & Bailifes, by Indentures made betweene them and the takers of the said wines. And in case that it be found that the Butler

The Queenes
Butler shall
take no more
wines then
shall be ap-
pointed.

Butler of the Queene. Butter and Cheefe.

or his Lieutenant take more or take reward of any, or delay any by colour of his office or by arrest, he shall make gree to the partie of double, and shall be put out of his office, and shall be imprisoned & punished at the Queenes pleasure, and the Queene shall appoint her Iustices whom it shall please her to inquire of these matters. And the Butler shall answer aswell for his deputies as for himselfe where they be not sufficient, 25. Ed. 3. 21.

2 **T**he Queenes Butler, nor none of his Lieutenants shall buy, imbrace, or take, by colour of their office, nor in other maner to their proper vse nor of others, more Wines for the Queenes house and expenses then they haue in commandement, vpon paine of imprisonment of their bodies, and to be punished at the Queenes pleasure. And asmuch as they shal take by force of the said warrant, shall be taken within ten dayes, and that being done, the Marchants of the said Wines may, and it shalbe lawfull for them, of the residue of the said Wines to make their profit, notwithstanding any arrest made vpon such Wines by the Butler or any of his Lieutenants aforesaid, 43. Ed. 3. 3.

1 That the Lieutenant of the Queenes Butler shall make no Deputies, S. Customers, 23.

Butter and Cheefe.

Butter and
Cheefe bought
to be sold a
gainc.

If any person doe buy to sell againe, any Butter or Cheefe, vnlesse he sell the same againe in open shop, faire, or market, and not in grosse, but by re-
taile, (that is to say, a wey of Cheefe, or a barrell of Butter or lesse quanti-
tie, and not aboue, sold at one time) or except he be an Inholder, or Vicarier,
which vttereth the same Butter or Cheefe by re-
taile in his house, he shall
forfaite to the Q. and J. double the value of the Butter and Cheefe so sold,
to be recouered &c. wherein no W. C. P. &c. 3. and 4. Ed. 6. 21. 31. Eliz. 10.
to endure to the end of the next Parliament now next ensuing.

1 That no Butter or Cheefe shalbe transported to any forraine region without the Queenes licence, S. Corne 1.

2 For the weight of a wey of Cheefe, S. Weights, 6.

Buttes.

The inhabitants in euery Citie, Towne and place, are compellable to
make and continue Buttes, vpon paine to forf. for euery three moneths
so lacking xx.s. And the said inhabitants shall exercise themselves with long
Bowes in shooting at the same, and else where, on holy dayes & other times
conuenient, 33. H. 8. 9.

Cables, Halsers, Ropes.

Hempe grow-
ing within five
miles of Bur-
port shalbe
sold there.

No person or persons dwelling or inhabiting within the distance of five
miles from the Towne or Borough of Burport in the Countie of Dor-
set, shall sell or cause to be sold out of the Market holden and to be holden
within the same Towne & Borough of Burport, to any person or persons,
any Hempe which shall happen to grow within the said five miles in distance
from the said Towne or Borough, vpon paine of forf. of the said Hempe
so

so sold or to be sold in any place or places within the distance of the said five miles out of the said Towne, Borough or Market, contrary to the forme and effect of this statute. The one halfe of which forfeiture shall be to the Queene, the other to the T. to be recovered by action of debt, bill, or information, wherein no *M.C.P.* &c. 21. *H.8.12.31.* *Eliz.10.*

2 *C* No person or persons other then such which shall dwell and be inhabitants within the said Towne of Burpore, shall make out of *h* said Towne any Cables, Halsers, Ropes, Traces, Halsers, or any other Tacle made of Hempe in any other place or places within the said distance of v. miles from the said Towne, vpon paine of forfeiture of the same Cables, Halsers &c. made and to be made contrary to the forme and effect of this statute to the Q. & T. to be recovered by A. B. T. wherein no *M.C.P.* &c. *Provided* that every person dwelling within the said distance may make Cables, Halsers, Ropes, Traces and other Tacle for their owne vse and occupation, but in no wise against this act, 21. *H.8.12.31.* *Eliz.10.*

Cables and Tacle of Hempe shalbe made in Burpore.

Provided alwayes that twentie pound weight shall be accounted to the stone 21. *H.8.12.31.* *El.10.* to continue to the end of the next Parliament now next ensuing.

Twentie pounds of Hempe a stone

Captaines, Souldiers, Musters.

*I*f any Souldier serving the Q. in her warres, in any her dominions or on the sea, beyond the sea, or in Scotland, do sell, give away, or wilfully purloine, or otherwise exchange, alter, or put away any Horse, Gelding, or Mare, or any harneis wherewith he shalbe set forth, then he (vpon due prooffe, or testimony to be taken before the Lieutenant, his Admiral, or Queenes Deputie, vice Admiral, warden, or Captaine, & in their absence before any of their deputies) shalbe imprisoned by *h* same Lieutenant, or any other before named, there to remaine without baile or mainprise, vntill he hath satisfied to *h* owner of the Horse, Gelding, Mare, or harneis, so by him sold, purloined, exchanged &c. (And also *h* said sale made by such Souldier to any person knowing him to be a Souldier, shalbe void against him that set forth *h* said horse, harneis, & weapon, 4. & 5. *H.8.12.31.*) And if such Souldier so offending, fortune to escape from the Lieutenant, & other the foresaid persons, without the punishment and restitution aforesaid, then the same Souldier vpon complaint made by *h* party grieved, or his executors, or administrators, vpon due prooffe therof to be made, to any Justice or Justices of peace in *h* parties where such Souldier shalbe found, shalbe by such Justice &c. committed to ward, there to remaine without baile or mainprise, vntill he hath satisfied *h* partie grieved, his executors or administrators, of, or for such horses, geldings, mares, & harneis so by him wilfully lost, exchanged &c. 2. *Ed.6.2.S.* Justice of peace 84.

Souldier making away his horse or harneis.

2 *C* But if the said Souldier bring any sufficient warrant or testimony before the said Justice, from the said Lieutenant, or any of the persons above named, in writing vnder the seale of any of them, testifying that the same Horse or Harneis were lost in the Queenes service, against the will

If the horse or armour be lost in service or appointed to an other.

Captaines, Souldiers, Musters.

*He to whom
the hoyle or ar-
mour is assign-
ed, shall satisfie
the owner.*

*A souldier or
gunner depart-
ing from his
captaine with-
out licence.*

*A captaine li-
cencing a soul-
dier to depart.*

*A captaine
doth discharge
one appointed
to serue in the
Queenes
warres.*

*A captaine de-
manding more
wages then
there is cause.*

of the said Souldier, or that y^e same hoyle or harneis were taken by the same Lieutenant, or any of the others before named from the same Souldier for any reasonable respect, and appointed to some other to serue in the place of the said Souldier, then euery such Souldier not bringing to the owner the said hoyle and harneis, shall be discharged thereof against the said owner: And then euery such Souldier, to whom the said hoyle or harneis shall be appointed as is aforesaid, (not bringing home to the owner the said hoyle & harneis after he shall be discharged) shall suffer like paine as is aforesaid, 2. Ed. 6. 2.

3 **I**f any Souldier, man of armes, or archer, which hath taken parcell of his wages of his Captaine, hath mustered, and is entered of record the Queenes Souldier, (or any mariner or gunner taking prest or wages, to serue the Queene, her heires, or successours on the sea, 5. El. 5. 27. El. 11.) doth not passe the sea, or goe with his Captaine (except notorious sicknesse, or impediment by Gods visitation doth stay him, which he shall immediately certifie to his Captaine, and repay his money) or else being in the enemies countrey in garison, or else where in the Queenes seruice where he is appointed to serue, doth depart without licence of the Queenes Lieutenant, Deputie, high Admirall, vice Admirall, Warden, Captaine, or in their absence of their deputies, then he shall be taken, iudged, and executed as a felon, 18. H. 6. 19. 2. E. 6. 2. 4. and 5. B. and G. 3.

4 **I**f any Captaine appointed to haue the order of any number of Souldiers, vnder any other higher Officer, doe for any cause licence any Souldier in his retinue, to depart from the field, or fortresse where they shall be appointed to serue without the speciall assent and licence in writing of the Lieutenant, Deputie, high Admirall, vice Admirall, Warden, Captaine, or in their absence of their deputies, he shall forfeite to the Queene for euery such Souldier so licenced to depart xx. li. to be leuied of his goods & cattels, And if any Captaine doe giue to any of his Souldiers, appointed to serue vnder him, in any Towne or Fortresse kept with garison of Souldier, any licence or passport to depart from his seruice, but onely the Lieutenant or others before named, the Captaine and Souldier so offending, shall be imprisoned at the discretion of the said Lieutenant or others &c. 2. Ed. 6. 2.

5 **I**f any Commissioner or Captaine to whom the Queene shall direct her commandement by commission, or letters, for the leuying or setting forth of any men to serue in her warres, shall for any reward or lucre discharge any person by him appointed to serue the Queene as Captaine, Souldier, or pioneer of his seruice so appointed, and doe assigne any other person in his stead, for any lucre or gaine, then he so offending shall forfeit to the Q. for euery such default, of euery man so discharged xx. li. to be leuied of his goods and cattels, 2. Ed. 6. 2.

6 **I**f any Lieutenant, Deputie, Admirall, Warden, Captaine &c. ha-
ving y^e order of any number of Souldiers seruing vpon y^e sea, or land, doe de-
mand, receiue, or take of the Queene or any of her Treasurers, any wages
for

for any moze souldiers, then serued in such maner and forme, as the wages was paid for, or for any moze dayes then such Souldiers serued, and doe not note the day of euery Souldiers entry into wages, and day of his death and departure, and deliuer the same to such Treasurers as shall pay the said wages euery moneth in writing, so as the trueth of the number of the Souldiers may appeare to the Queenes Treasurer, and master of the Musters, for the time being: Then euery such Lieutenant, Deputie, Admirall &c. so offending, shall forfeit to the Queene for euery such default, v. li. and be imprisoned by the space of a moneth, and lose his office and rounth. But no Lieutenant, or other person aforesaid shall be charged or prejudiced for lacke of his number retained, for, or concerning any Souldier which shall happen to die during his seruice, or to be sicke by the visitation of God, or that shall depart against the will of his Lieutenant or &c. vnllesse it shall be in default of any of them, 2. Ed. 6. 2.

7 **T**his statute is not prejudiciall to the Lieutenant or any other the said persons, or any other, nor any of them, hauing under them retinue of Souldiers for not paying the Queenes wages to their household seruants, and others to whom they shall daily finde and giue meate and drinke, during the said seruice of warre, or for detaining any part of any of the Souldiers wages, toward, or for the payment of vitayles, hatteis, weapons, or for any prest money provided and deliuered to any such souldier, 2. Ed. 6. 2.

Retayning of wages.

8 **I**t is lawfull to euery Lieutenant, Deputie, Admiral &c. to retaine in his owne handes to his owne vse, of the wages of his Souldiers these summes following, that is to say, vi. s. viii. d. for the liuerie, or coate of euery yeoman Souldier, xiii. s. iiii. d. for the liuerie or coate of euery Gentleman Souldier for a whole yeere, 2. Ed. 6. 2.

Causes to cease the souldiers wages.

9 **T**his statute doth not charge any person for the receiuing of any gift or reward of any of his tenants or friends, towards the aide, helpe or reliefe of the same person, being commanded by the Queene to serue in warres, or otherwise to finde men on horsebacke or on foote, aswell within this Realme as without, nor for the gift, reward, ayde, or helpe reserued, or couenanted to be paid or giuen to any person appointed to serue in warres, or to finde horse or men to serue, by reason of any graunt, couenant, reseruati- on, custome or tenure, 2. Ed. 6. 2. But no person shall by colour hereof exact, demaund, or leuy any summe of money, horse, armour or other thing, other then shall be employed forthwith in the present seruice of those warres of the Queenes, for which it was leuiued, the which summe of money, horse, ar- mour, or other thing, or as much thereof as shall not be spent, lost or consu- med in the said seruice, shall be restored to such person as paid and deliuered the same, vpon the penalties and forfeitures aforesaid, 4. and 5. P. and P. 3. Quare what these forfeitures be.

Reliefe of friends or tenants toward seruice in war.

Quare.

10 **I**f a Lieutenant of an armie doth not in euery field vnder his charge, proclaime the whole effect & contents of this Act euery moneth, and

Proclamation of this Act.

Captaines, Souldiers, Musters.

every of the Queenes Deputies and Captaines of any Fortresse, pproclaime it within his charge once every quarter of a yeere, he so offending, shall forfeite *xl. s.* *E. 6. 3.*

The reward of the Informer.

I 1 Every person giving to the Lieutenant, or the others above named, true information of any offence above remembred, shall haue for his labour one moneths wages of him that shalbe found faultie, to be paid by the hand of the Treasourer, upon warrant of the Lieutenant or *cc. 2. Ch. 6. 24. and 5. P. and P. 3.*

Abstaining fro the musters or not bringing his best furniture.

I 2 If any person which shalbe commanded, generally or specially, to muster before any such as shall haue authoritie or commaundement for the same by or from the Queene, her heires or successors, or by any Lieutenant, Warden or other person, authorised for the same, doth willingly absent himselfe from the same Muster, having no true & reasonable excuse of sicknesse or other lawfull impediment, or at his apparance at such musters doth not bring with him such his best furniture, aray and armour, as he shall then haue for his owne person in a readinesse, he shall for every such offence suffer ten dayes imprisonment without baile or mainprie, by the commaundement of such as shall haue authoritie to take the same musters, unlesse he do agree with the said Commissioners, or two of them to pay to the use of the Queene *cc. s.* for every such offence *xl. s.* for a fine, which fine after the agreement for the payment of the same, shall be certified and extracted into the Eschequer, by such as haue power to take the said Musters, or two of them under their seales, within two moneths next after such agreement, and then shalbe leui- ed as fines assessed by Iustices of Assise or Gaole deliuerie in their circuites are vsed to be, *4. and 5. P. and P. 3.*

Dwellers in Cities shalbe mustered only within p same.

I 3 No person inhabiting within any Citie, Borough, or Towne cor- porat, being a Countie of it selfe, or in which any Iustices of peace be or hereafter shalbe by charter, shalbe cōpellable by vertue of this Act, to make his apparance with such furniture as is aforesaid, at any Muster to be had or taken out of the Suburbes, Precinct or Liberties of the same Citie, Bo- rough or Towne, nor before any person or persons authorised by Commis- sion or otherwise as is aforesaid, unlesse the Mayor, or other head Officer of such Citie, Borough or Towne, and one other discrete inhabitant of the same at the least, be ioyned in the same Commission or other authoritie with the same person or persons so authorised, *4. & 5. P. & P. 3.*

Mustermas- ters taking reward to dis- charge others.

I 4 If any person which shalbe commanded by the Queene, her heires or successors, by commission, letters or otherwise authorised to leuy Muster, or make any men to serue in her warres, or otherwise for the defence of this Realme, doe by any meane exact, leuy, receiue or take, or cause to be taken a- ny money, or other reward or thing whatsoever of any person for service in the warres, or that shall be appointed, named, or mustered to serue in any such service, or for the sparing, or discharging of such person from the said service, then he shal forfeit ten times so much as he shal receiue, exact or take, to

to the D. and J. to be recovered by A. J. &c. wherein no M. C. & P. &c. But this Act doth not take away of discharge any Tenant or Farmer of his service or covenant towards his lord, for the finding of horse, armour, or weapon, for doing of service by himselfe, or by any other (which by the tenure of his land otherwise he is bound to doe) but he shall doe, peele, and pay the same &c. as before he should, 4. & 5. P. & P. 3.

15 **I**f any Captaine, petit Captaine, or other having charge of men, for service in warre, shall for any aduantage or gaine by him to be receiued, discharge or licence any of the men or souldiers (appointed to serue in the warre under his rule, or order) to depart from the same service, or shall not pay unto his Souldiers and to euery of them their full and whole wages, conuite, and coate money, within ten daies next after he shall haue receiued the same, then the partie offending in giuing such licence or discharge, shall for. for euery such offence ten times the value of the thing so receiued to the D. & J. to be recovered by A. J. wherein no M. C. or P. &c. and shall also pay to euery such Souldier from whom he shall withhold any such wages, conuite or coate money, treble the summe so withholden, 4. & 5. P. & P. 3.

16 **I**f any offence touching Captaines, petit Captaines, or other having charge of men, shall be committed during the time that any armie or number of men, being under a Lieutenant, shall be assembled and continue together, or by any Captaine, &c. that shall serue any Lord, Marden, or other Chieftaine, then vpon complaint thereof, the Lord, Lieutenant, Marden, or other Chieftaine, during the time of his commission, shall and may heare, order and determine the same offences by his or their discretions. And if any Captaine, petit Captaine &c. shall be once conuicted or ordered by vertue of this act, for any offence aforesaid, he shall not be esconged, vexed, troubled, sued or conuicted for the same offence, 4. & 5. P. & P. 3. S. Justice of peace 26.

Castles, Fortresses.

If any person doe within this Realme, or else where, vnlawfully and of his owne authoritie, imagine, conspire, practise or deuise, by any practise or meanes, with force, or by craft, deuice or sleight, maliciously & rebelliously to take or keepe from the Queene any of her Castles, Towers, Fortresses, or Holdes, or maliciously and rebelliously to raze, burne, or destroy any Castle, Bulworke or Foote, or any part of them, hauing any Punition or Ordinance of the Queenes therein, or appointed to be garded with any Souldiers for defence thereof, within any of the Queenes Dominions, or the Marches of the same: And the same compasses, practises, or deuices, or any of them, shall and doe aduisedly, by any expresse wordes, speech, act, deede or writing, expresse, utter, or declare, for any of the malicious and rebellious intents aforesaid: Then he thereof being conuicted, shall be adiudged a Felon, and so shall his ayders, counsaillours, comforters, consentors, and abettors knowing thereof, 14. Eliz. 1.

2 **I**f any person doe with force, maliciously and rebelliously deteine, keepe

A Captaine
doth licence
his souldiers
to depart, or
doth not pay
their wages.

By whom of-
fences shall be
reformed.

An offence bin-
once punished.

Conspiring to
take or destroy
any of the
Queenes Cas-
tles or forts
trellis.

Castles, Fortresses, Cattell.

Withholding
the Queenes
Castles of
Shippes.

keepe or withhold from the Queene any of her Castles, Towers, Fortresses or Holdes within any her Dominions; or Parkes of the same, or any of her Shippes, Ordnance, Artillerie, or other munitions or fortifications of warres, and doe not render and giue by the same to her Maestie, or to such person as she shall appoint to receive the same to her vse, within sixe daies next after he so offending shall be commanded by the Queenes open Proclamations vnder the great Seale of England, to be made in any place or market Towne within the Countie where any such offence shalbe committed: Or shall wilfully, maliciously & rebelliously burne, or destroy, or cause to be burned or destroyed, any of the Queenes Shippes, or maliciously and rebelliously barre, or cause to be barred any Haven within her Graces dominions. Then he being thereof lawfully convicted, according to the lawes of this Realme, shalbe iudged a Traitor, and so shall his ayders, counsaillors and abettors, and their offences in any of the premises shall be adjudged high Treason, 14. Eliz. 1. to endure during the Queenes life.

Castell ward.

3 No Constable shall distraine any man to giue any money for the keeping of a Castell, if he will doe it himselfe, or procure any sufficient man for him. And if the Queene do carrie him with her, or send him vnto her warres, he shalbe free from Castell warde during the time that he is in the Queenes host, for chao fee for the which he did Knights seruice in the armie, Magna Charta, 9. H. 3. 20.

1 What purueiance, and in what maner shall be made to vitaille a Castell, S. Purueiours 6.

Cattell.

Buying of
Cattel and sel-
ling within
sine weekes.

If any person do buy any Oxen, Kentes, Steeres, Kine, Heifors, Calues, Sheepe, Lambes, Goates or Kiddees liuing, & sell the same againe aliuie, (except he keepe and feede the same by the space of sine weekes in his owne house, ground, farme, or in such ground where he hath the herbage or common of pasture by graunt or prescription) he shall forfeite the double value of the Cattell or things so bought and sold againe, to the Q. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 5. Co. 6. 14. 13. Eliz. 25.

No cattell shall
be bought but
in the faire or
market.

2 If any person doe buy, or commene, & conclude to buy any Oxen, Steeres, Kentes, Kine, Heifors or Calues, but onely in the open Faire or Market, where the same shall happen to be brought, and put to sale, (except it be for the prouision of his household, teeme, or dairie, or except it be a Butcher which shall not sell the same againe aliuie) or shall sell the same againe on liue, at or in the Market or Faire where he bought the same during the time of the said Faire or Market, he shal forfeit the double value of the Cattell &c. so bought or sold, to the Q. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 3. and 4. Co. 6. 19. vntill 27. Eliz. 11. to continue to the end of the next Parliament now next ensuing.

A Cow shalbe
kept for 60.
sheepe, and a
Calf for a 120

3 If any person which shall keepe or feede aboue the number of vi. score Gate sheepe, for the most part of the yere vpon his pastures, lands, feedings

or

of farmes which be continually seuerall and meete for milch Kynne, (and wherein no other person, 21. Octob. An. Do. 1555. had commonly for Cattell any time of the yeere) doe not keepe for every iii. score share sheepe, one milch Cow, and for every vi. score share sheepe reare by yeerely one Calfe, so long as he shall keepe or feede the sayd number of vi. score share sheepe, hee shall forsaite for every Cowe not kept for every moneth xx.s. And for every Calfe not reared xx.s. to the Queene and Informer, to be recovered within one yeere after the offence &c. by action, information, &c. wherein no W. &c. E. D. &c. 2. & 3. D. & P. 3. 13. Eliz. 25.

4 If any person which doeth keepe or feede upon his seuerall pastures above the number of xx. Oxen, Rontes, Steeres, Scrubs, Heifors, or Kine, doeth not for every x. beasts keepe one milch Cow, and for every two Kine, weane and reare by yeerely one Calfe (except it chaunce to die) he shall forsaite Vt supra. Provided that no person shall be compelled to keepe any Kine, or reare any Calves for such sheepe or other beasts which he keepeth and feedeth onely to be spent in his house. 2. & 3. D. & P. 3. 13. Eliz. 25.

He colde for ten
beasts feede, &
for two kine a
calfe.

1 That no Butcher shall buy any Cattell and sell them againe alive. See Butchers. 1.

2 Within what time Cattell may be put into coppies Woods. See Woods. 22.

Certificat of Conuicts.

If any Clerke of the Crowne, Clerke of the Peace, or Clerke of Assise where any attainder, conuiction or outlawrie of felonie, shall be before the Iustices of Peace, Gaole deliuerie, or oyer and determiner, doe not certifie a briefe transcrip, containing the tenour and effect of every Indictment, outlawrie, conuiction, Clerke attain, that is to say, the name, surname, and addition of every person so indicted and thereupon outlawed, conuicted, or Clerke attain, and the certaintie of his felonie, or other offence, and the day and place when and where it was done: the day and place of his outlawrie, conuiction and attainder, into the Kings Bench, within fourtie dayes next after such attainder, conuiction or outlawrie, (if the terme then be open,) and if not within xx. dayes next after the beginning of the Terme next following the sayd xx. dayes: The sayd Clerke before whom such attainder, outlawrie or conuiction, &c. shall be made, shall forsaite for every such default of not certifying of every such Record xl.s. to the Queene and Informer, to be recovered by A. J. &c. wherein no W. &c. or D. &c. And the Clerke of the Crowne in the Kings Bench shall receiue the same Certificates and transcripts whensoever they shall be tendered vnto him by any of the aforesayd Clerkes of the Crowne, of the Peace, or of Assise, or their deputies, vpon paine of forsaiture of xl.s. for every Certificat by him refused. 34. H. 8. 14.

Certificat into
the kings bench
of every out-
lawrie, attain-
der & conuic-
tion.

2 But if there be moze persons named in any such Indictment other then such person attained, conuicted or outlawed, then the sayd Clerkes shall certifie the transcript of such Indictment, outlawrie, or conuiction, onely

The Clerke of
the Crowne
shal receiue the
certificates.

The names of
those onely
which be at-
tained, conuic-
ted &c. shalbe
certified.

concerning

Cessavit.

concerning such person or persons, so indicted and attained, outlawed, or convicted into the Kings Bench, which transcript so certified, shalbe taken as effectuell in Law, to all intents against such person against whom it shall be objected or pleaded, as if the very Record thereof, (whereupon he was indicted) were present. 34. H. 8. 14.

Clerke of the Crowne shall certifye the name of convicts to the Justices.

3 **I**f the Clerke of the Crowne in the Kings Bench for the time being doe not incontinently, and without delay certifye to the Justices of gaole delinerie, and Justice of Peace, of every Countie of this Realme, (which shall write unto him for the same) the names and surnames of such persons which be so attained by outlawie, Clerks attained, or convicted, and certified into the Kings Bench, and the causes why, and wherefore they were attained or convicted, he shall forsaite for every name so written for, and not certified by him to the sayd Justices xl.s. 34. H. 8. 14.

No certificat out of Wales, Chester, Lancaster, Durham.

4 **T**his Act shall not extend to the Clerke of the Crowne, Clerks of the peace, Clerks of Gaole delinerie, neither to any of the ppenotaries within the Counties of Wales, and Chester, or within the Counties Palatines of Lancaster, and Durham, or any of them, to make any transcript of any such attainer, conviction, or outlawie of any person convicted, attained, or outlawed before the Queenes Justices of her Counties of Wales nor Chester, or Countie of Lancaster, Durham, or any of them, but the same Records shall and may remaine in the custodie of the sayd Clerks and ppenotaries in such maner as they are. 34. H. 8. 14.

Cessavit.

Cessavit as against tenant by fee farme.

If a man doe let his lands to farme, or to finde Estovers in vitallie or cloathing, which amounteth to the fourth part of the very value of the land, and he that holdeth the land so charged letteth the same lie fresh, so that a man can finde no distresse by the space of two or thre peeres, to compell the Farmour to doe or yelde that which is contained in the writing, after the two peeres past the leaseour shal haue an accion out of the Chaucery to demand the land in demesne. And if he against whom the land is demanded, come before Judgement, & render the arrearages and damages, & finde such suretie as the Court shall thinke sufficient, to pay from thencefoorth that which is contained in the writing of lease, hee shal retaine the land: And if he cary vneill it be recovered by Judgmet, he shalbe barred for ever after. Glo. 6. Ed. 1. 4.

Cessavit by the Lord against his tenant.

2 **I**n like sorte, if a man doe detain from his Lord his due and accustomed service by the space of two peeres, the Lord shal haue an accion to demand the land in demesne. And in both these cases, the heire of the demandant shal haue a writ of Entree against the heire of the tenant, and against them to whom the land shalbe aliened. West. 2. 13. Ed. 1. 21. There see the fourme of the writ of Cessavit.

Lands aliened which were given in almes

2 **I**f lands given for the feeding of poore people or other Almes to be maintained or done, be aliened by those to whom they are given, if they were given by the Queene or any of her Progenitours, the lands shall be taken into the

the Queenes hands and retained at her pleasure, and the buyer shall lose his recovery aswel of the lands as of the money which hee payde. And if they were given by an Earle, Baron, or other person, he by whom or by whose auncelour the land so aliened was given, shall have a writ of Contra formam collacionis, to recover the land in demesne. But if the land so given for sustenance of poore people or other Almes to be maintained or done, be not Aliened, but such Almes is withdrawn by the space of two yeeres, an Action shall lye for the donor or his heire, to demand the land so given in demesne, as it is ordered in the Statute of Glouc. for lands leased, to render the fourth part of the value or more. West. 2. 13. Ed. 1. 41.

Contra formam collacionis.

The Almes withdrawn.

Challenge.

NOne of the petit Jurie, nor other parties named in any bill of Attaint sued in the Hustings of London (holden for common pleas before the Mayor and the Aldermen) upon any untrue verdict given in any of the Courts of the said Citie, shall or may have any Challenge to the array, or to any person or Poll therein being impanelled, for lacke of sufficient goods or lands. 11. H. 7. 21. See Attaint 14.

Challenge in a bill of attaint sued in London

2 Every person being a Citizen of the Citie of London, and in value of goods & cattels to the summe of CCCC. marks, may be impanelled and returned by the Sherifes of the said Citie, in every Attaint brought by writ by vertue of the Statute of 23. H. 8. upon verdict given by the Citizens of the said Citie without any Challenge for the insufficiencie of freehold of any of them, to be made by any of y parties in such attaint. 37. H. 8. 5. S. Attaint 14.

Challenge in a writ of attaint sued in London

3 It is a principall Challenge in any of the Courts within the Citie of London in any suit where the lands or tenements, or action personall, wherein the debts or damages amounteth to xl. marks or above, that the partie impanelled in the Enquest hath not lands, tenements, goods or cattels, to the value of one hundred marks, if it be alledged by any of the parties and so found. And no person shall be impanelled, summoned or sworn in any Turp or Enquest, in Courts within the same Citie, except he be of lands, tenements, or goods & cattels to the value of xl. marks, 11. H. 7. 21. S. Jurors 16.

Challenge in London where the thing in demand is worth fourty markes.

4 The Challenge commonly called (Reins deins le gard) within the Citie of London, shall be no Challenge, but utterly voyde. 7. H. 7. 4.

Reins deins le gard.

5 If a man Challenge a Turie, or a Turour for the Queene, hee shall shewe cause of his Challenge forthwith, which cause shall immediatly be tryed by the Justices discretion, whether it be true or not. 33. Ed. 1.

Challenge for the Queene.

6 No indictor shall be put in the Enquest upon the delivrance of the partie indicted of Trespasse or felony, if he which is indicted doeth challenge him for that cause. 25. Ed. 3. 3. S. Jurors 3.

Challenge of the Indictor.

7 It is a good Challenge for the partie, where an Enquest is taken upon the death of a man, or betwixt partie and partie in any plea reall or personal, where the debt or dammage doeth amount to xl. marks, to say that any impanelled, hath not lands or tenements to the peerele value of xl. s. above

Challenge where y thing in demand is worth fourty markes.

all

Challenge.

Inhabitant of
townes corpo-
rate.

all charges. 2. H. 5. 3. But this statute is to be intended onely of Enquests to be had betwixt Denizen and Denizen, and not where triall is to be made Per medietat. linguæ where an Alien is one partie, according to the statute of 28. Ed. 3. 13. 8. H. 6. 29. And every person being the Queenes naturall subject bozne, which by any name doeth enioy the liberties of any Citie, Borough or Towne corporat, where he dwelleth and maketh his abode, being worth in moueable goods to the cleare value of fourtie pound shalbe admitted in trespall of murders and felonies in every Sessions and Gaole deliuerie holden for the Liberties of every such Citie, Borough or Towne corporat, albeit he hath no freeholde. 23. H. 8. 13. See Iurors 15.

Challenge by
one arraigned
by speciall
commission.

8 ¶ If a Commission of Oyer & determiner be directed into any Countie for the triall of any person which doeth confesse any treason, misprision of treason, or murder to thre of the Queenes Counsell, or is vehemently suspected thereof, no Challenge for þe Shire or Hundred shalbe allowed vnto him. But the Challenge of any Iuroz for lacke of freehold of þe perety value xl. s. shalbe allowed. 33. H. 8. 23. Neither shal he haue any Challenge to the hundred, which is arraigned for any offence committed vpon þe sea, or in any other place, where the Admiral hath iurisdiction, before Commissioners thereunto authorized by the Queenes Commission vnder the Great seale. 28. H. 8. 15.

Challenge by
one arraigne-
ment of Dis-
tacie.

9 ¶ He that is arraigned of treason, murder or manslaughter committed within the verge, shal haue no maner of Challenge to any of the Jury, (malice onely excepted) 33. H. 8. 12. Neither he which bring the Queenes seruant sworne, and whose name is in the Chequer roule of the Queenes household, vnder the degree of a Loyde, which is arraigned for conspiring with any other to destroy any Lord of this Realme, or any other sworne to the Queenes Counsell, or the Ste ward, Treasourer or Comptroller of the Queenes house. 3. H. 7. 14.

Challenge by
one that con-
spirerth any
Lords death.

No Peremp-
toie challenge
in treason.
No Peremp-
toie challenge
in murder.

10 ¶ Peremptorie Challenge shall not be allowed in any cases of high treason, or misprision of high treason. 33. H. 8. 23.

11 ¶ No person arraigned for any Petit treason, murder, or felonie shalbe admitted to any Peremptory challenge aboue the number of twentie. 22. H. 8. 14. 32. H. 8. 3.

Challenge.

Seditious
woydes.

12 ¶ The partie indicted and arraigned of any of the offences prohibi-
ted by the Act (prouided An. 23. El. against seditious woydes and rumours
vttered against the Queene) shal haue advantage of all maner of Challenges
to the Jury, as in triall of felonies vsed. 23. Eliz. 2. See Newes. 8.

Challenge by
an inquisition
of collusion.

13 ¶ If he which is impleaded for land by any Ecclesiasticall person,
doth make default, wherby iudgement ought to be given against him, if the
Court doe inquire by Jury of the Countrey, whether the demandant had
right in the lands demanded or not, euery Lord of whom the same lands
be holden shalbe allowed to challenge the Iuroz of the same inquisition,
and so shall any man for the Queene that will. West. 2. 13. Ed. 1. 33.

1 That vpon the triall of any issue in a personall action no Challenge
for

for the Hundred shall be allowed, if two sufficient Hundreders doe appeare. See Jurors 19.

Chester. Cheshire.

The law and administration of Justice, & all other things in the Countie of Chester in times past vsed to be had at the Shire dayes, shall be holden, had, made, done, and executed by the Justicer of the sayd Countie for the time being, at two times in the yeere onely, that is to say, at the Sessions next after the feast of Saint Michael, and at the Sessions next after Easter, during so many dayes at euery of the sayd times as neede shall require, in like maner and forme, as it is vsed and executed in the Countie Palantine of Lancaster. 3. H. 8. 43. And the sayd two Sessions shall and may be holden at such time and times, as by the sayd Justice or his Deputie shall be appointed, as well before the sayd feasties of Easter and Michaelmas, as any other time, according as is commonly vsed in other Shires of this Realme, so alwayes open Proclamation be thereof made, by the space of fiftene dayes at the least before the first day of the keeping of the same Sessions. 33. H. 8. 13.

Sessions kept
in Chester two
times in the
yeere.

2 The Countie palantine of Chester shall haue two Knights for the sayd Countie, and two Citizens to the Burgesles for the Citie of Chester, to be elected for euery Parliament by proces awarded by the Chauncelloz of England, to the Chamberlaine of Chester, his Lieutenant, or Deputie, And like proces to be made by the sayd Chamberlaine or &c. to the Sherife of the Countie of Chester. And the election shalbe made, in like maner and forme to all intents as is vsed in other Shires and Cities, and euery of the sayd Knights and Burgesles so elected, shalbe returned into the Chauncerie of England by the Sherife in due forme, vpon like paine as other Sherifes of other Shires, &c. And euery of the sayd Knights and Burgesles shall haue like voyce, authoritie, liberties, priuiledges, wages, fees, and commodities as other Knights and Burgesles of the same Court of Parliament enioy, vse, and haue. 34. H. 8. 13.

Two Knights
and two Bur-
gesles for the
Parliament
in Chester.

3 If any person of the Countie of Chester, resiant in the same Countie doe commit any murther or felonie in any place out of the same Countie, proces shalbe awarded against him by the Common lawe vnto the exigent, in the Countie where the offence was committed: And if he flee from thence into the Countie of Chester, and be outlawed for the sayd murther, or felonie, the same outlawrie or exigent shalbe certified vnto the officers of the Countie of Chester, and the felon shall be taken by the same Officers, and his lands, tenements, goods and cattels, within the same Countie of Chester, shall be seised as forfait to the Queene or him which shall be Lord of the sayd Countie of Chester for the time, and the Queene shall haue the yeere, day and waste, and the other lands, goods, &c. of such felon, being out of the sayd Countie, shalbe forfait to the Queene and other Lords which haue Franchises. And in the same maner it is of any person of the sayd Countie, resiant or dwelling in

An inhabitant
of the Countie
of Chester that
committeth
felony or mure-
ther in an o-
ther Shire.

Cheirographer, and Custos Breuium.

in the same Countie, which committeth Bateria, or other trespassse in another Countie, and then fleeth into the Countie of Chester, his goods shalbe forfeit, &c. and if he be outlawed, the outlawrie shalbe certified to the same Officers of Chester, and his person shalbe taken, and his goods and cattels shall be forfeit &c. *Vt supra. 1. p. 4. 18.*

Protection.

1 That no protection shalbe graunted to any person within the Countie of Chester, without the Queenes speciall Warrant. *S. Protection. 5.*

Proclamations.

2 For Proclamation vpon Exigents, to be awarded against any person dwelling in the Countie palantine of Chester or the Citie of Chester. *S. Exigents. 6.*

Deputies.

3 That euery sherife of the Countie of Chester and of the Citie of Chester, shall haue a deputie in the Kings Bench, and Common place. *S. Exigents. 7.*

Fines.

4 That fines may be leuied before the high Iustice of Chester, his deputie or lieutenant, of lands being within the Countie palantine of Chester. *S. Fines. 13.*

Tales.

5 That a Tales de circumstantibus is grautable in the Countie of Chester, where a full Iurie doeth not appeare. *See Iurors. 21. 23.*

Sewers.

6 In what sort, and by whom the Commission of Sewers shalbe directed within the fees of y Countie palantine of Chester. *S. Sewers. 18. 19.*

Statutes.

7 For statutes to be acknowledged before the Maior of Chester. *See Statutes. 1.*

Offices.

8 How Offices found in the Countie of Chester, shalbe receiued and certified in the Court of Wards. *See Offices. 7.*

Coroners.

9 That two Coroners shalbe for Cheshire, and for their authoritie. *S. Coroners. 20.*

Inrolments.

10 For Inrolments of bargaines and sales of lands in the Countie of Chester. *S. Inrolments. 4. 5.*

11 Where the Shirifes Countie Court for Cheshire shalbe kept. *See Countie. 2.*

12 For inrolling of Fines and recoueries in the Countie of Chester. *See Fines 29. &c.*

Cheirographer, and Custos Breuium.

The Cheirographers fee, vpon euery fine.

The Cheirographer of the Common place, his farmour, deputie or lieutenant, shall not take any more then *iii. s.* for any fine leuied in the same Court. And if the farmour, deputie, or lieutenant, doe take any more, he shall forfeit his office, be excluded the same Court, suffer one yeeres imprisonment, and pay to the partie grieved his treble damages, and the party grieved shall haue his suite before the Iustices of the same Court. *2. Hen. 4. 8. Westm. 2. 13. Ed. 1. 44.*

Inrolling of writs in the common place whereupon fines be leuied.

2 **A**ll writs of Couenant, and all other writs whereupon fines shalbe leuied, with the writs of *Dedimus potestatem* (if any be) with all knowledges, and notes of the same, before that they be drawn out of the Common place

place by the Cheirographer, shall be inrouled in a roule to be of Record for ever, to remaine in the safe custodie of y^e chiefe Clerke of the common place, and of his successors, for the olde fee of xxii. d. accustomed to be payed to the chiefe Clerke, for the entring of the Record of euery fine, without paying any more, to y^e intent that if the notes in y^e Custodie of the Cheirographer, or the fines be imbeasled, a man may haue recourse to the sayd roule, to haue execution, as he should haue, if the fines were not imbeasled. 5. H. 4. 14.

1 That the Cheirographer shall make a Table containing the content of euery fine, and what he shall haue for the same, See Fines 25.

Citation.

IF any person be cited, summoned, or otherwise called to appeare, by him selfe, or his procuratour, before any Ordinarie, Archdeacon, Commissarie, Officiall, or other Judge spirituall, by vertue of his Office, or at the suite of any person, out of the Dioces or peculiar Jurisdiction, where the partie cited, summoned, or called, dwelled at the time of the same Citation awarded, the sayd Ordinarie, Archdeacon, &c. shall forfait to the partie so cited double dammages, and costes for vexation to be recovered by A. of debt, or A. vpon the case, by A. B. P. &c. and also shall forfait ten pound to the Queene and Informer, to be recovered, by A. T. &c. wherein no W. &c. E. P. &c. (except it be for any Spirituall offence, or cause committed, done, for-
No pers shall be cited to appeare out of the Dioces where hee dwelleth.

flowed, neglected, or committed by any Bpshop, Archdeacon, or other person hauing Spirituall Jurisdiction, or being a Spirituall Judge, or by any other person within the Dioces, or Jurisdiction, whereunto hee shall be cited, or otherwise lawfully called to appeare and answer, or except it be by or vpon matter or cause of appeale, or for other lawfull cause, wherein any partie shall finde him selfe grieved or wronged by the Ordinarie, Judge or Judges of the Dioces or Jurisdiction, or by any of his Substitutes, or ministers, after the matter or cause there first commenced and begunne, to be shewed to the Archbshop or Bpshop, or any other hauing peculiar Jurisdiction, within whose Prouince the Dioces or place peculiar is: Or in case that the Judge dare not, or will not conuent the partie to be sued before him: Or that the Bpshop of the Dioces or the Judge of the place, within whose Jurisdiction or before whom the suite by this Act should be commenced and prosecuted be partly, directly, or indirectly to the matter or cause of the same suite: Or that any Bpshop, or any inferiour Judge hauing vnder him Jurisdiction in his owne right and title, or by Commission, doe make request or instance to the Archbshop, or other superiour Ordinarie or Judge, to take, treat, examine, or determine the matter before him or his Substitute, and that to be done in cases onely where the Ciuill or Canon Law doeth affirme execution of such request or instance of Jurisdiction, to be lawfull or tolerable: Or except it be for Testaments to be prooued before the Archbshop of Canterburie, by reason of his prerogative, or for Testaments to be prooued before the Archbshoppe of Dorke within his
Exceptions.

Jurisdiction,

Clergie.

Jurisdiction, by reason of any prerogative, 23. H. 8. 9. 1. Eliz. 1.

Archbishops
may cite for
heresie.

2 **I**t is lawfull for any Archbyschop of this Realme to cite, call, and summon any person dwelling in any Byschops Dioces within his prouince, for causes of heresie, of the Byschop or other Ordinarie immediate thereunto consent, or doe not his dutie in punishment of the same, 23. H. 8. 9. 1. Eliz. 1.

iii. d. for the
seale of a Ci-
tation.

3 **I**f any Archbyschop, Byschop, Ordinarie, Officiall, Commissarie or other person hauing Spirituall Jurisdiction, or any Substitute or minister of his doe aske, demaund, take or receiue more then iii. d. for the seale of any Citation, he shall pay to the partie of whom &c. double damages & costs, and shall forfeit for euery offence ten pound to the Queene and Informer, &c. to be recouered by A. J. &c. wherein no W. &c. E. P. 23. H. 8. 9. 1. Eliz. 1.

Clergie.

Curpise.

NO person shall haue the priuiledge of his Clergie which shall be indicted, or appealed for felonious taking of any money, goods or cattels from the person of any other, priuily without his knowledge in any place whatsoeuer, and thereupon found guiltie by verdict of xii. men, or shall confesse the same vpon his arraignment, or wil not answer directly to the same according to the Lawes of this Realme, or shall stand wilfully, or of malice, or obstinately mute, or challenge Peremptorie aboue the number of twentie, or shall be vpon such Indictment or appeale outlawed. 8. Eliz. 4.

Detaining the
Queenes Cas-
tles.

2 **N**ot he which unlawfully conspireth, compasseth, imagineth, practiseth, or deuileth by any meanes with force, sleight, or deuice, to take, or keepe from the Queene any of her Castles, Towers, fortresses, or holdes, or maliciously and rebelliously to rase, burne, or destroy any Castell, Bulwark, or Fort, or any part of them, hauing munition or Ordinance of the Queenes therein, or appointed to be garded with Souldiers for defence thereof, within any of the Queenes Dominions, or the Marches of the same, and the same conspiracies &c. aduisedly by expresse Act, wordes, or writing doeth declare, for any of the malicious and rebellious intents aforesayd. Not which is an ayder, counsailler, comforter, consenter or abettour, knowing thereof, to any such offendour, and is of any of the sayd offences lawfully convicted. 14. Eliz. 1. to endure during the Queenes life. See Castels 1. Felonie 4.

Vagabonds.

3 **N**ot he which being a vagabound of the age of xviii. yeeres or aboue, and being marked, or adiudged to be burned through the gristle of the right eare, and vpon his second conuiction of his rogish life is taken by some person into seruice, from whom he departeth within two yeeres against his will that tooke him. Not which being twice conuicted as a vagabound, doeth fall the third (or more after time) to a rogish life, and is therefore indicted. 14. Eliz. 1. 18. Eliz. 3. See Vagabonds. 6. Felonie. 5.

Coniuration,
Witchcraft.

4 **N**ot he which doeth practise inuocation, or coniuration of wicked spirits for any intent, or witchcraft, enchauntment, charme, or sorcery, whereby any

any person shalbe killed, or destroyed. **¶** **N**or which doeth the second time practise Witchcraft, Enchauntment, charme, or sorcerie, whereby any person shalbe consumed, or lamed in his body, or member, or whereby any goods of any person shall be wasted or impaired, being once convicted of the sayd offence before. **¶** **N**or which is an ayder or counsellor to any of the said offenders, and is of any of the sayd offences lawfully convicted. 5. Eliz. 16. S. Coniuration. 1. 2. 3. Felonie 6. 7. 8.

5 **¶** **N**or he which doeth commit buggerie with mankinde or beast, and is thereof convicted by verdict, confession or outlawrie. 25. H. 8. 6. 5. El. 17. See Felonie. 9.

6 **¶** **N**or he which doeth maliciously command, hire, or counsell any person to commit petit treason, or wilfull murder, or to doe any robbetrie in any dwelling house, or in, or neere any high way, or within the marches of England, against Scotland, or wilfully to burne any dwelling house, or any part thereof, or any barne then hauing corne therein, and is thereof outlawed, or otherwise attainted, or convicted, or being arraigned doe stand mute of malice, or doe challenge peremptorie aboue twentie or will not answer directly to such offence. 4. and 5. H. and P. 4.

7 **¶** **N**or he which is indicted, arraigned and attainted, or refuseth lawfull triall in a Countie where he was taken with the maner, and whereunto the goods stolen in a forreigne Countie were conueied, if so be that he might not haue had his Clergie in the other Countie where the goods were stolen. 25. Hen. 8. 3. 5. Ed. 6. 10.

8 **¶** **N**or he which being once convicted, or condemned of any of the offences prohibited by the statute prouided 5. Eliz. against the forging of euidences and writings, by any of the wayes in the same statute limited, shal after any his such condemnation, or esconies commit any of the sayd offences in fourme in the sayd statute expessed. 5. El. 14. S. Forger, &c. 4.

9 **¶** **N**or any Souldier seruing the Queene in her warres, in any of her Dominions, or on the sea, or beyond the sea, or in Scotland, or in any Garrison, which departeth without license of the Lieutenane, High Admirall, Viceadmirall, Warden, or Captaine, and in their absence, of their Lieutenants. 2. Ed. 6. 2. See Captaine. 3.

10 **¶** **N**or he which is attainted by confession, verdict, or outlawrie for any felonious Rape, rauishment, or Burglarie, or for vnlawfull and carnall knowledge, and abuse of any woman childe vnder the age of ten yeres. 18. Eliza. 6.

11 **¶** **N**or any person of the age of fourteene yeres or aboue, calling himselfe an Egyptian, or being in company with them, or counterfeiting, or disguising himselfe by his apparell, speach or other behaviour like vnto the vagabounds calling them selues Egyptians, and so doeth continue, at one, or seuerall times by the space of a moneth. 1. & 2. P. & P. 4. 5. El. 20. See Egyptians. 2.

Witchcraft,

Buggerie.

Commandments of felons.

Attainted where the goods were caried.

Forger of deeds.

Souldier.

Rape, Burglarie.

Egyptian.

Clergie.

Clergie.

Willfull murder, poisoning, Robbing in the high wayes, Stealing of horses.

Robbing of Churches, Robbing of houses.

Robbing of booties.

Receiving or relieving any Jesuite or Priest.

Clergie allowable in al other cases.

Clergie allowable but once.

A convict person marked. Officers of the Church.

12 **C** For any person which is attainted of any of the offences made felonie by the Statute provided, 23. El. 2. against seditious wordes and rumors uttered against the Queenes Maiestie, 23. El. 2. S. Newes, 5. 6. 7.

13 **C** For he which doeth commit any willfull murder, or willfull poisoning of malice prepense: For which doeth robbe any person, in or neere unto y^e high way: For which doeth steale any horses, geldings or mares, (or any horse, gelding or mare. 3. Ed. 6. 33.) For he which is accessarie to such felonie before such felonie done or after, 31. El. 12. For which doeth feloniously take goods out of any Church or Chappel. For which doeth breake any house by day or by night, any person being in the same, and thereby put in feake, or doth robbe any person in any part of his dwelling house, or dwelling place, the owner or dweller in the same house, his wife, his children, or servants, being then within the same house or place, where the robbery was done, or in any other place within the precinct of the same house, or dwelling place, and then being waking or sleeping. For which doeth robbe any person being in a tene or booth, in a faire or market, chequer, his wife, children, or any servant then being within the same booth or tene, whether they then and there being, shalbe sleeping or waking, and is of any of the sayd offences in due forme of lawe attainted, or convicted, or being indicted or appealed of any of the same offences, and thereupon found guiltie by verdict, or shal confesse the same upon his arraignment, or will not answer directly according to the lawes of this Realme, or shal stand wilfully, or of malice mute, 23. H. 8. 1. 32. H. 8. 3. 1. Ed. 6. 12. 5. Ed. 6. 9.

14 **C** For he which doeth wittingly and willingly receive, relieve, comfort, ayde, or maintaine any Jesuite, Seminarie Priest, or other Priest, Deacon, or Religious or Ecclesiasticall person whatsoever, being borne within this Realme or any other the Queenes highnes Dominions, and heretofore (since the feast of S. John the Baptist Anno primo El.) ordeined, made, or professed, or hereafter to be made, ordeined, or professed by any authoritie, or Jurisdiction, deriued, chalenged or pretended from the sea of Rome being at libertie or out of holde, knowing him to be a Jesuite, Seminarie Priest, or such other Priest, Deacon, or Religious or Ecclesiasticall person as is aforesayd, 27. El. 2. See Iesuites 3.

15 **C** In all other cases of felony, other then such as be before mentioned, every person which shalbe arraigned, or found guiltie upon his arraignment, or shal confesse y^e same, or shal stand wilfully or of malice mute, or will not answer directly, shal haue & enioy the priuiledge of his Clergie & sanctuarie, in like maner, as he should haue done before y^e 24. April. An. 1. H. 8. 1. Ed. 6. 12.

16 **C** Every person (not being within orders) which once hath bene admitted to the benefice of his Clergie, being eftsoones arraigned of any such offence, shal not be admitted to haue the priuiledge of his Clergie. And every person convict shal be marked by the Gaoler openly in the Court before the Justices. 4. H. 7. 13. Such as be within holy orders shalbe & stand under the same

same paines and damages for their offences &c. and be vled & ordered to all intents, as other persons not being within holy orders shalbe. 28. H. 8. 32. H. 8. 3. Attamen vide 1. Ed. 6. 12. & 1. & 2. H. and H. 8. 8. &c. Quere.

Quere.

17 ¶ Every person that by any statutes or lawes of this Realme ought to have, or be admitted to the benefite of his Clergie, shall be admitted to his Clergie, although hee hath bene sundry times married to any single woman, or single women, or to any widow, or widowes, or to two wives or moe. 1. Ed. 6. 12.

Bigamus also
loved his cle-
gie.

18 ¶ Every person which shall upon his arraignment, for any felonie be admitted to his Clergie by the Lawes of this Realme, and shall before the same admission have committed any other offence, whereupon Clergie by the Lawes and statutes is not allowable, and not being there indicted, and acquitted, convicted or attainted, or pardoned, shall and may be indicted, or appealed for the same, and thereupon ordered, and vled in all things according to the Lawes, in such maner as though no such admission of Clergie had bene. 8. Eliz. 4. And every person which shalbe admitted to have the benefite of his Clergie, shall not withstanding his admission to the same, be put to answer to all other felonies whereof hee shall be indicted or appealed, and not being thereof before acquitted, convicted, attainted, or pardoned, and shall in such maner and forme be arraigned, tryed, adjudged and suffer such execution for the same, as he should have done if (as Clerke convicted) hee had bene delivred to the Ordinarie and there had made his purgation. 18. Eliz. 6.

He that is al-
lowed his
Clergie shall
answer to for-
mer offences.

19 ¶ In every case where any of the Queenes subjects may upon his prayer have the priviledge of Clergie, as a Clerke convicted, that may make purgation, in all those cases, and also in every case of felonie wherein the priviledge of Clergy is taken away by the Stat. of 1. Ed. 6. wilfull murder, and poysoning of malice prepened onely except (videlicet for breaking of any house &c. robbing any person in or neere unto the high way, stealing of Horses, or robbing any Church or Chappel) a Lord of the Parliament, & Peere of the Realme, having place and voyce in Parliament, shal of common grace upon his request, alleadging that he is a Lord or Peere of the Realme, and clayming the benefite of this statute though he can not reade, without any burning in the hand, losse of inheritance, or corruption of blood, be taken, and vled for the first time, onely as a Clerke convicted, which may make purgation, without any further, or other priviledge of Clergie, to any such Lord, or Peere, from thencefoorth at any time after, for any cause to be allowed. 1. Ed. 6. 12. But in all other cases where Clergy is taken away, by any statute made since 1. Ed. 6. it seemeth that a Lord of the Parliament is in the same case as another inferiour person. Sed Quere.

A Lord of the
Parliament.

20 ¶ Every person which shall be admitted to have the benefite of his Clergie, shall not thereupon be delivred to the Ordinarie, as hath bene accustomed, but after such Clergie allowed, and burning in the hand, shall

Quere.

Clergy allowed
without de-
liverie to the
Ordinarie.

sooethwith be enlarged, and deliuered out of prison by the Justices befoze whom such Clergie shalbe graunted. But the sayd Justices shall and may for the further correction of such persons to whom Clergy shalbe allowed, deteine them in prison for such convenient time as y^e same Justice s^e shal thinke convenient so as the same do not excede one yerres imprisonment. 18. Cl. 6.

Clerke of the Market.

Clerke, &c. shal take no common fine.

The Clerke of the Market of the Quenes house, shall take no common fine, but every person which is found in default touching the same Office, shall be punished according to his desertes. The sayd Clerke shall ride but with two hoxes at the most, and shal not tarie in any towne, or other place, longer then the necessitie of his businesse doeth require, & if he doe any thing contrary to this statute, and is thereof duly convicted, hee shall pay to the Quene at the first tyme 5. s. at the second tyme 1. li. and at the third tyme 11. li. 13. R. 2. 4. The Clerke of the market shall haue all his weightes and measures signed according to the standart of the Eschequer with him, when hee goeth to assay weightes and measures. And hee nor none other shall vse any other weight or measure, 16. R. 2. 3.

The Clerke shal haue his weightes with him.

Clerke &c. of the Quenes house shal vse y^e office within the verge and none other.

In all places wheresoever the Quene in her owne royall person shall come to rest, tarp, abide, or make her repose within any her Dominions within libertie or without, there and within the verge limited or accustomed to her Court, during the time of her abode, her Graces Clerke of the market, and none other during the same time, as well within liberties as without, shall exercise the Office of a Clerke of the market, any priuiledge, graunt, allowance, or other thing to the contrary thereof notwithstanding: But this shall not be preiudiciall to the Citie of London, but the sayd Citie may vse such liberties as they might befoze. 31. 27. H. 8. 24. 32. H. 8. 20.

Clerke of assise.

NO Clerke of Assise during the onely time of the Session, of or for any Assises of Nisi prius, shall be of counsell with any person within any circuit, whereof he shall be Clerke of Assise, otherwise then to that Office onely appertaining, upon paine to forfeite for every time offending to the contrary, unto the Quene 5. li. grievous, to be recovered by A. T. or where inuoluntarie. 31. H. 8. 24.

That the Clerke of Assise may execute his office in the Countie where he was borne or doeth dwell. S. Justices of Assise 2.

Clerke of the Signet or Priuie seale.

The Clerkes fees for Warrants.

Every Clerke of the signet and Priuie seale, shall take for his writing of a Warrant upon a bill of Tales of reward 11. d. for the writing of a warrant of a gift for every Office 11. d. for the writing of a Warrant for a pension, annuities or wages, twentie pence, for the writing of a Warrant for a speciall liuery or other perpetuall 11. s. 11. d. for writing of a Warrant upon every bill for a Conge vester, Royall assent, restitution of Temporalities, Donations, Aduocations, Presentations, or other Ecclesiastical matter

ter iii. s. iiii. d. for the writing of every warrant upon a Placard, License, Warrant of Sheriffs reward ii. s. for the writing of every Warrant upon a Denizen iii. s. iiii. d. for the writing of a Warrant for keeping of an Idiot xx. s. for the writing of a warrant for keeping of a Ward iii. s. iiii. d. and no clerke of the signet or Priuie seal shall take for the writing of any Warrant above specified more large fees, then before is appointed, upon paine to forfeite ten pound to the Queene and Informer to be recovered by Action, Information &c. wherein no W. &c. C. P. &c. 27. H. 8. 11.

Clerke of the Peace.

Every Custos Rotulorum, for the time being, shall at all times in every Shire of this Realme, Wales, and other the Queenes Dominions, Marches, and Territories of the same, assigne every person which shall be Clerk of the peace, within any of the sayde Shires, Dominions, Marches, & Territories of the same, and graunt the same office of the Clerkship of the peace to such able person instructed in the Lawes of this Realme, as shall be able to exercise the same, to enjoy the same during the time that he sayd Custos Rotulorum shall exercise the said office of Custos Rotulorum, so that the sayd Clerk demean him in the said office iustly & honestly, and it shall be lawfull to every such grauntees of the said Clerkship to occupie the same office by himselfe, or his sufficient Deputie instructed in the Lawes of this Realme, so that the same Deputie be admitted by the Custos Rotulorum, to be sufficient and able to exercise, and enjoy the same office. 37. H. 8. 1.

Custos Rotulorum shall appoint Clerks of the peace.

Clerke of the peace may make a deputy

1 The fees of the Clerk of the peace, for every recognisance and license graunted to every Badger, Lader, Drouer, &c. See Badger.

2 For the Clerk of the peace his fee, and dueie, for the Inrolment of any deede. See Inrolments 2.

Collected.

Every graunt, patent, or writing that shall be made to any person by any Archbyschop or Byschop alone, or by any of them, and confirmed by Chapter seale of the Office of Collectership of the tenthes peere due to the Queenes Palestie within the Dioces and Byschopricke of the grauntoy, by reason of the Nature of the first frutes and tenths, shall abide in his force no longer time then the grauntoy shall remaine Archbyschop or Byschop of the same See, whereof he was possessed at the time of his said graunt, any confirmation of the said graunt, custome, lawe, or statute, &c. notwithstanding. 7. Ed. 6. 4. 1. Cl. 4. S. For Collectors, accompt. and debtors to the Queene

1 Howe Collectors of dismes accompting in the Eschequer may be charged in the same, or other Courtes, to answer to other. See Accomptants to the Queene. 49.

2 That the lands goods, &c. of Vndercollectors of tenths and subsidies be chargable to the Q. for the satisfying of their receipt. S. Accomptants to the Q. 40. 41.

3 Collectours for the repairing of Bridges, their receipt, charge, and

H. iii.

accompt.

Commissions, Commissioners.

account. S. Bridges. 3. 4. 5.

4 The duetie, receipt, charge, and account of the Collectors for the Poore. S. Poore. 2. 5. 6. 21. 23. 26.

5 For the duetie, receipt, charge, and account of Collectors for the making of Prisons. S. Prisons 1. 2.

Commissions, Commissioners.

Commissioners
not receiving
the commissi-
on, discharged
upon their
othes.

Where a Commission is directed to any person to heare and determine, or to enquire and certifie, which Commissioners neuer knew of the sayd Commission, neither yet the same euer came to their hands, if the same Commissioners be distrained by the pproces forth of the Eschequer for issues lost by reason of the sayd Commission they may take their othes before the Barons of the Eschequer, of their excuse and discharge of the receipt or occupying of the sayd Commission: and also the Barons of the Eschequer and the Justices of the one Bench, and the other, haue power by writ of Dedimus potestatem, to receiue such othes in the countrey, & thereof to certifie the Barons into the Eschequer, whereupon the Barons shall discharge the sayd Commissioners: and in like sort it shalbe done, for the heires, executors or land tenants of the sayd Commissioners: But such othes shall not be taken but in cases of Commissions to heare and determine, and to enquire and certifie. 7. Hen. 4. 1. 1.

Commissioners
for the decay
of houses and
tillage.

2 **I**f the Commissioners or foure of them at the least, to whom a commission under the Great seale of England is directed, to enquire and make search of the offences committed against the statutes made. 4. H. 7. 9. 7. H. 8. 1. 27. H. 8. 12. 5. El. 1. (concerning the decay of houses of Husbandry and Tillage, and whether any person to whom any penalitie or forfaiture is giuen by the sayd statutes or any of them, haue taken the benefite of the sayd forfaiture) doe not within thre moneths next after such enquire and search, make certifiat thereof and of their doings, by vertue of the sayd Commission, into the Chaucerie, under their hands and seales, euery of them shall forfait to the Queene, her heires and successors xx. li. 5. El. 2. 27. El. 1. 1.

3 **T**he same Commissioners or two of them at the least, haue authoritie to direct their precept to the Sheriffs of the Countie being within the limits of their Commission, to warne as many honest men of his Waplitwicke as the sayd Commissioners shall appoint, by whom the truth in the premisses may best be knownen, to enquire and true presentment make of all offences committed contrary to the sayd Acts, or any of them, and to set such reasonable fines and amercements vpon such persons as shall make default of their apparances, or making their apparances, shall neglect to doe their duties in and about the execution of the premisses, as to the sayd Commissioners or foure of them shall be thought conuenient, so that the sayde fines or amercements for one default exceede not twentie shillings. And the same fines &c. shall be peereley estreated into the Eschequer, to be leuied to the

the Queenes vse, 5. Eliz. 12. 27. Eliz. 11. to continue vnto the ende of the next Parliament.

1 For the authoritie of Commissioners which are to enquire of Bankrupts, and what they shall doe in euery respect. S. Bankrupts. 5. 2. &c.

Bankrupts.

3 For all the authoritie of the Commissioners of Sewers; and what in each respect is to be done by force of the sayd Commission. See Sewers. 1. &c.

Sewers.

3 In what cases Commissions shall be directed to enquire of Purueiours behaviour. S. Purueiours. 18.

Purueiours.

4 Where one Commission of the Peace shall not be superseded to another. S. Iustice of Peace. 110.

Commission of Peace.

5 For Commissions to enquire of offences done vpon the sea, and for the Commissioners authoritie. S. Piracie. 1. 2. 3.

Piracie.

6 That Purueiours shall shewe their Commissions to them, of whom they take anything. S. Purueiours. 3.

Purueiours.

7 For the substance, forme, and continuance of Commissions graunted to Purueiours. S. Purueiours. 25. 26. 27. 31.

Purueiours.

8 Where Commissions shall be graunted to enquire of Iustices of Peace and Sheriffes defaults for not enquiring of Riots. S. Riots. 6.

Riots.

9 In what cases Treasons may be tried in any Countie, by a Queenes speciall Commission. S. Treason. 9.

Treason.

10 In what case a Commission shall be graunted to enquire of the misdemeanour of Villaines. S. Villaines. 1.

Villaines.

11 In what case a Commission shall be graunted vpon an Appeale out of an Archbishops Court. S. Appeales. 5.

Appeales.

12 That no suit before certaine Iustices and Commissioners shall be discontinued by a new Commission. S. Discontinuance of process. 6.

13 For Commissions vpon Appeales vpon ciuill or maritte causes. See Appeales 8.

14 For the Commission for executing spirituall Iurisdiction and the Commissioners authoritie. S. Queene. 3.

15 For Commissions to enquire of concealements made by officers accomprable to the Exchequer. S. Accompt to the Q. 153.

Condition, Covenant.

As well all & euery person and persons, & bodies politike, their heires, successors, and assignes, which haue any gift or graunte of King Henry the eighth, by his letters patents, of any Lordships, Baronies, Lands, Tenements, Rents, Pastourages, Tithes, Portions, or any other hereditaments, or of any reuersion or reuersions of the same, as also all other persons being grantees or assignes, to or by the sayd King, or to or by any other person or persons, then the sayd King Henry the eighth, & the heires, executors, successors, and assignes of euery of them shal & may haue, & enjoy like advantages against the lessees, their executors, administrators, and assignes, by entrie

Grantees of reuersions shall take advantage of conditions and covenants against the lessees.

for non payment of the rent, or for doing of waste, or other forfeiture, and also all and every such like, and the same advantage, benefice, and remedies by action onely for not performing of other conditions, covenants, or agreements contained and expressed in the Indentures of their sayd leases, demises, or grants, against all and every the lessees, fermors, and grauntees, their executors, administrators, and assignes, as the sayd Leasors or grauntoys themselves, or their heires or successours ought, should, or might have had and enjoyed at any time. 32. H. 8. 34.

Lessees shall have the same advantage against the grauntees in reversion that they might have had against the grauntoys.

2 **C** All fermors, lessees, and grauntees, of Lordships, Manors, Lands, Tenements, Reites, Parsonages, Tithes, Portions, or any other hereditaments for terme of yeeres, life, or lives, their executors, administrators and assignes, shall and may have like action, advantage, and remedy against all and every person and persons and bodies politique, their heires, successours and assignes, which have or shall have any gift or graunt of any person or persons of the reversion of the same Manors, lands, tenements, and other hereditaments so written, or any parcell thereof, for any condition, covenant or agreement contained, or expressed in the Indentures of their lease or leases, as the same lessees, or any of them might and should have had against the sayd lessors and grauntoys, their heires or successours (all benefices and advantages of recoueries in value, by reason of any warrantie in dedee, or in law by voucher or otherwise onely excepted) 32. H. 8. 34.

1 Conueiance of land, lease or rent with condition of reuocation or alteration. S. Fraudulent dedees. 7.

Condite. **C**ondite.

If any person doe wilfully, maliciously, and unlawfully cut, or cause to be cut out of the head or pipe of any condite of any other persons, he shall lose to the partie grieved treble damages; to be recovered by action of trespassse, and shall forfeit to the Q. x. li. for a fine. 37. H. 8. 6.

Coniuration, Enchantment, Witchcraft.

Coniuration to felonie.

The use, practise, or exercise of any Inuocations, or coniuurations of euill and wicked spirits, to, or for any intent or purpose, is felonie, and the offenders, their ayders, and counsellors be felons. 5. El. 16.

Witchcraft whereby any person is killed.

2 **T**he use, practise, or exercise of any Witchcraft, Enchantment, Charme, or Sorcery, whereby any person shall be killed, or destroyed, is felonie, and the offenders, their ayders and counsellors be felons. 5. El. 16.

Witchcraft whereby any person shall be lamed, or his goods or cattle destroyed, wasted, or impaired, or shall be counselling or ayding to same.

3 **I**f any person shall use, practise, or exercise Witchcraft, Enchantment, charme or sorcery, whereby the body or member of another shall be wasted, consumed, or lamed, or his goods or cattle be destroyed, wasted, or impaired, or shall be counselling or ayding to same, he shall for the first offence be imprisoned a whole yeere without bail or mainprise, and once every quarter of the sayd yeere stand upon the Pillorie, upon some Market or Faire day by the space of six houres, and shall openly confesse his error and offence. And for the second offence being as is aforesayd lawfully convicted

or attainted, he shall suffer death as a felon, Saving to the wife of any offender in felony by this Statute her title of dower, and to the heire and successors his title in inheritance, succession, and other rights, as though no such attainder had bene. 5. Eliz. 16.

The inheritance and twines dower such.

4. If any person shall take upon him by witchcraft, enchantment, charme or sorcerie, to declare in what place any treasure of gold or silver might be found in the earth, or other severall place, or where things lost or stolen should be found, or become, or shall practise by enchantments, charme, or sorcerie, to the intent to move any person to unlawfull love, or to hurt or destroy any person in his body, member, or goods, and being thereof lawfully convicted, he shall for the first offence be imprisoned by the space of a yere without baile or mainprie, and shall once every quarter of the said yere stand upon the Pillorie upon the Market or Faire day six houres, and confesse his offence openly &c. and so being once convicted, he shall for his second offence being thereof convicted, forfeite to the Queene all his goods and cattels, and be imprisoned during his life. 5. Eliz. 16.

Declaring by witchcraft, where any treasure, or stolen things be, and prouoking to love.

1 That Clergie is taken away from him which is attainted of Coniuration, Witchcraft, &c. S. Clergie 4. 21.

2 The penaltie for seeking to know by witchcraft, coniuration, calculation &c. how long the Queene shall live or reigne, S. Newes 7.

Conspiracie.

Conspirators be they which bind themselves by oth, couenant, or other Caliance, that every one shall helpe and maintaine others purpose, falsly, and maliciously to indite, or to move or maintaine suites: And also that cause Infantes to appeale other of felony, whereby they are imprisoned and much grieved: And such as retaine men in the Countrey with lueries, or fees, to maintaine their lewde enterprises, and to subuert the truth, aswell the takers as the givers: And Bailles & Sherwards of great Lordes, which by their seignorie, office, or power, doe undertake to maintaine or uphold other quarels or suites, then such which concerne their Lordes, or themselves, 33. Ed. 1.

Who be Conspirators.

2 A man shall haue a writte out of the Chauncerie against Conspirators, false Informers, and Imbraccours of Assises, Enquestis, and Iuries: and also Justices of either Bench, and of Assise, when they come into the Countrey to take Assises, shall make enquire there of upon any mans plaint without writte, & shall without delay doe right to the plaintifes, 18. Ed. 1. 10.

The punishment of Conspirators.

3 Appelles and Inditements of treason and felony, supposed to be done in places where there be no such places in the same Countie, be void, and also the Procces thereupon awarded: And they which be indicted or appealed, may haue a writte of Conspiracie against their Inditors, Procurors, and Conspirators, and shall recover their damages, and the Inditors, Procurors, and Conspirators, shall be imprisoned, make fine and ranfome to the Queene by the Justices discretion, 9. H. 3. 1. 18. H. 6. 12.

Conspiracie upon appelles, &c. of felony committed in a place supposed where there is no such.

Conuocation. Corne and Graine.

For Conspiracies or agreements made by Artificers, touching selling their vitales or doing their workes, *S. Artificers* 1. 2.

Conuocation.

The Clergie at the Conuocation shall haue such liberties as they which come to the Parliament.

The Clergie shall not put in by any constitutions without the Queenes assent.

ALl the Clergie which be called to the Conuocation by the Queenes writ, and all their seruants and familiars, shall fully vse, and enioy such libertie, or defence in coming, tarrying, and returning, as the great men, and commons of the Realme haue, or are wont or ought to enioy, which are called to the Parliament, 8. H. 6. 1.

The Clergie, nor any of them shall presume to attempt, alleage, claime, or put in vse, any constitutions, or ordinances prouinciall or synodall, or any other Canons, nor shall enact, promulge, or execute any such Canons, constitutions, or ordinances prouinciall by whatsoever name or names they may be called in their conuocations (which alwayes shall be assembled by authoritie of the Queenes writte) vntill the same Clergie may haue the Queenes royall assent, and licence to make, promulge, and execute such Canons, constitutions, and ordinances prouinciall or synodall, vpon paine of euery of the said Clergie doing contrary to this Act, and being thereof conuict to suffer imprisonment and make fine at the Queenes will, 25. Hen. 8. 19. 1. Eliz. 1.

Assemblies for religion shalbe onely within England.

No person resident in any of the Queenes Dominions, shall depart out of the said Dominions to or for any visitation, congregation, or assemblies for religion, but all such visitations, congregations, and assemblies shall be within the Queenes Dominions, 25. H. 8. 21. 1. Eliz. 1.

Corne and Graine.

No Corne, Butter, cheese, Beere, Herring, Wood, shalbe transported without licence.

No person shall transport out of this Realme, by any Ship, Crayer, or other vessel, into any place beyond the Seas, or into Scotland, any Wheate, Rye, Barley, or other Coyne or Graine, growing within this Realme, or any Shutt made within the same, or any Beere, Butter, Cheese, Herring, or Wood, (except onely to and for the victualling and furniture of Berwicke, and the Harbours of the same) without lawfull authoritie so to doe, vpon paine that the owner of the said Coyne, Butter, Cheese, Herring, and Wood, to forfait the double value of the same so caried to the Queene, and to be recovered by A. T. &c. wherein no W. &c. E. P. &c. And the master and mariners of euery of the said Shippes &c. for euery such offence to forfait all their goods, and to be imprisoned one whole yeere without bail or mainprise, And the owner of the said Shippes &c. to forfeit to the Queene and Tozoner &c. the said Shippes, Crayers, and other vessels, with all their apparels to them belonging, wherein the said Coyne &c. shall be so transported, 1. and 2. Phil. and Ma. 5. But no forfeiture of Shippe, Crayer, or other Vessel, or of any apparell of the same, nor any other penaltie, shall be extended against any owner of any Ship, Crayer, or other Vessel, for the transporting of any Coyne or other things aforesaid, vntill the same owner shall be witting, knowing, aiding, or consenting to the prohibited transporting,

Nothing out of the Realme to be transported.

Nothing out of the Realme to be transported.

porting. 5. Eliz. 3. 27. Eliz. 1. 1. But it is lawfull to any of the Queenes subjects to transport out of this Realme in the Vessels of any subjects with crosse sayles every kind of Herring and Sea fish, to be taken vpon the Seas by any of the said subjects, 5. Eliz. 3. 13. Eliz. 1. 8. that in the foresaid statute of 1. and 2. Phil. and Ma. 5. the transporting of Corne &c. for the vitalling and furniture of Calice, Hammes, and Gynnes, is excepted, the force whereof remaineth: but consider the meaning of the makers of the statute, and for the vse thereof, Quere &c.

2. ¶ If any person doe carry and conuey away by Boate, Crayer, or other vessel, or othertwise, any Wheate, Rie, Barley, Malt, or other corne or graine, or any Beere, Butter, Cheese, Herring, or Wood, to any shippe or vessel being on the Seas, or within any Hauen, Creeke, or other place of the border of this Realme, to be transported beyond the Seas, or into Scotland, without sufficient authoritie so to doe, then every owner of the sayde victuals, corne and other things abovesaid so transported, and the owner of every such Boate, or vessel, and the Boatmen and Mariners of the same, shall forfeit and suffer all such paines and penalties as are aboue rehearsed, to the Q. & J. &c. to be recovered by A. J. &c. wherein no W. &c. C. J. &c. 1. and 2. P. and M. 5.

3. ¶ If any person shall obtaine of the Queene, her heires or successors, any licence to transport any corne, victuall, or wood beyond the Seas, if he or any other to whom he shall giue, grant, or sell his said licence, shall carry or cause to be carried any more corne, victuall, or wood, then shall be contained in his said licence, he shall forfeit the treble value of the said corne, victuall or wood, so transported without sufficient authoritie, and shall suffer imprisonment for one whole yeere without baille or mainprie in the common gaole, where he shall be apprehended. 1. and 2. P. and M. 5.

4. ¶ No person that shall haue any such licence for transporting any corne, victuall, or wood, beyond the Seas, shall shippe the same, or any part thereof at sundry places within this Realme, but at one place certayne, by on paine of forfeiture of the same, and all his goods and cattels, to the Q. and J. &c. to be recovered by A. J. &c. wherein no W. &c. C. J. &c. and 2. P. and M. 5.

5. ¶ This act shall not extend to any persons for the necessarie victualling of any shippes or other vessels, either shall it be prejudiciall to the loz of Admirall of England, for the time being, or to the Queenes Iurisdiction of the admiraltie, but the said Admirall or his deputies shall vse and execute all kinde of iurisdiction belonging to the Sea, according to his or their commissions. 1. and 2. P. and M. 5.

6. ¶ At all times, when the common price of corne within this Realme is, that Wheate shall not excede the price of vii. d. the quarter, and Rie vii. s. the quarter, & Barley vii. s. the quarter, it shall be lawfull to every person to carry over y sea, to any place, of the said kindes of corne, so that it be

Sea fish transported.
No corne &c. shall be carried to any ship to be transported.

Quere.

He that hath licence to transport, carrieth or uer more then is contained in his licence.

He that hath licence to transport corne &c. shall lade it at one place.

Victualling of shippes.

Every person may transport corne of these prices.

not

Corne and Graine.

Corne of these
pyces may be
transported by
the Queenes
subiects &c.

not the Queenes enemies, 1. and 2. P. and P. 5. 3. Ed. 4. 2. And it shall be lawfull to all and every person and persons, being subiects to the Queene, her heires and successors (onely out of such Portes or Creekes, as by the Queenes Proclamation shalbe appointed, and not else where) to lade, carrie, or transport any Wheate, Rye, Barley, Malt, Pease, or Beanes, into any partes beyond the Seas, to sell as a marchandize, in Shippes, Crayers, or others vessels whereof any English boyme subiect then shall be the onely owners, so that the pyce of the said Corne &c. exceede not the pyces hereafter following, at the time, Places, and places, where and when the same shall be shipped, viz. the quarter of Wheate at x. s. the quarter, of Rye, Pease or Beanes at viii. s. the quarter, of Barley, or Malt at vi. s. viii. d. 5. Eliz. 5. 27. Elizabeth 11. to continue to the ende of the next Parliament nowe next ensuing.

Corne may be
transported
when p pyces
be allowed rea-
sonable by the
Lords Presi-
dents, or Jus-
tices of Assise
of peace.

7 It shall be lawfull to all persons, being subiects of the Queene, her heires and successors, and inhabiting within her dominions, (onely out of such Portes and Creekes, where are, or shalbe resident a Customer or Collector of Subsidie of Tonnage, & Bondage, or one of their deputies, & not els where) to lade, carry, or transport any Wheate, Rye, Barley, Malt, Pease, or Beanes, into any partes beyond the Seas, being in amitie with this Realme, and not prohibited by any restraint, or Proclamation, onely to sell as a marchandize in Ships, Crayers, or other vessels bearing crosse sailes, whereof any English boyme subiects inhabiting within her Highnesse Dominions then shalbe the onely owners, at all such times as the severall pyces thereof shall be so reasonable in the severall Counties, where any such transportation shall be intended, as that no prohibition shall be made either by the Queene, her heires or successors, by Proclamation to be made in the Shire, Towne, or in any Port Townes of the Countie, or els by some order of the Lord President, and Counsell in the North, or the Lord President and Counsell in Wales, within their severall iurisdiccions, or of the Iustices of Assise, at their Sessions in other Shires out of the iurisdiction of the said two Presidents and Councils, or by the moze part of the Iustices of the Peace of the Countie at their quarter Sessions in this maner following. That is, the said Lords Presidents and Councils for the Shires within their iurisdiccions, the Iustices of Assise at their severall Sessions (in other Shires out of the said iurisdiccions, belonging to the said Councils in the North, and in Wales) peereley shall vpon conference had with the Inhabitants of the Countrey of cheapenesse and dearch of any of the said kinds of Graine within the Counties, within the iurisdiccions of the said Councils, or in the other Countreies, within the limites of the said Iustices of Assise, by their discretion determine whether it shalbe meete at any time to permit any graine to be carried out of the Realme, by any Port within the said severall iurisdiccions or limites, and so shall in writing vnder their hands & seales make a determination, eicher for permission or prohibition, and the same cause

cause to be by the Sheriffe of the Counties published and affixed in as many accustomed market Townes & Portes within the said Shire, as they shall thinke convenient, and in such maner, as the Queenes Proclamations are usually published & affixed, which determination of the said Presidents and Counsels in their iurisdiccions, and of the Justices of Assise in their limites shall continue in force for the time, place, and maner therein expressed, untill the said Presidents and Counsels shall otherwise order, or untill the Justices of Assise, at their being in their said Circuites, in euery of the said Counties shall alter, or otherwise order the same, except the same shall be otherwise in the meane time altered or countermanded by the Queene, her heires or successors, or by some order of the Justices of peace in the Counties situated out of the iurisdiccions of the said two Counsels, in their quarter Sessions to be holden in the meane time, or the greater part of them, which shall finde the same determination of the Justices of Assise to be hurtfull to the Countie by meanes of dearth, or to be a great hinderance to Tillage by meanes of too much cheapenesse, and shall by their writings vnder their handes and seales, make any determination to the contrary, either for permission or prohibition of cariage of any kind of Graine out of the Realme, and the same determination shall cause in like maner to be published and affixed as aboue is said, which determination shall also continue in force, except the same shall be altered by the Queene, her heires and successors, or untill the Justices of Assise at their being in their said Circuites in euery of the said Counties afoze to them limited, shall alter, or otherwise order the same, who shall and may vpon newe conference had, from time to time, alter the said determinations in the whole, or in the part, as to their discretions shall seeme meete, and the same shall also cause to be published as is before prescribed: But neither any of the said Presidents & Counsels, nor the said Justices of Assise, nor the said Justices of Peace, shall publish any their determinations aboue mentioned, untill the same shall be first by writing notified to the Queene, or to her priue Counsell, and by her Maiestie or her priue Counsell shall be kept and allowed. 13. Eliz. 13.

No determination published without the Queene or her Councils assent.

8 The Queene, her heires and successors, may at all times by her writ of Proclamation to be published generally in the whole Realme, or in the Counties of the Realme where any Port Townes are, command that no person shall by vertue of this Act transport any Graine to any parts out of her Dominions, either generally out of any Port in the Realme, or particularly out of any speciall Portes to be in the same Proclamation named, and it shall not be lawfull for any person to carry out any such Graine, contrary to the tenor of the same Proclamation, vpon such paines as by the lawes of the Realme are and haue bene provided. 13. Eliz. 13.

The Queene may restraime transporting of Corne by Proclamation

9 Whosoever shall bring into any Port, or place of this Realme, any Wheate, Rie, or Barley, which is not growing within the Queenes Dominions, at any time when the quarter of Wheate doeth not exceede the

A restraint of bringing corne into this Realme,

price

Corpus cum causa. Corporations, &c.

price of vi. s. viii. d. the quarter of Rie iii. s. the quarter of Barley iii. s. within the port or place, where such graine shall be brought, shall forfeit the said graine to the Q. and him that will seile the same. But this act extendeth not to any Wheate, Rie or Barley, taken by any of the Queenes liege people upon the Sea, without fraud or couin. 3. Ed. 4. 2.

*He that buyeth
coyne for chage
of his seede
must bring in
as much to the
same market.*

10 **C**If any person having sufficient coyne for the provision of his house and sowing of his ground for one yeere, doth buy any coyne in any faire or market, for the change of his seede, and doeth not bring to the same faire or market, the same day, so much coyne as he shall buy for his seede, and sell it (if he can) as the price of coyne then goeth in the said faire or market, Then every such person so buying coyne for seede, shall forfeit double the value of the coyne so bought, to the Q. and J. &c. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 5. Ed. 6. 14. 13. Cl. 25. For the custome of corne transported. See Custome, 4.

Corpus cum causa.

If a Corpus cum causa, or Certiorari, be awarded to remoune the body of any person which is condemned in any of the Queenes Courts, and the cause into the Chancerie, the prisoner shall be remanded continually to remaine in prison without being let to baile or mainprise, untill he hath agreed with the plaintife for the summe adjudged. 1. R. 2. 12. H. 5. 2.

2 **H**e that sueth to defeat an execution upon a statute staple, and thereupon cometh into the Chancerie by Corpus cum causa, and there hath a Scire facias against the partie, upon that defeisance or such like, hee shall finde suertie as well to the Queene, as to the partie severally, to yeld his bodie, or pay the money, if the matters compyled in the Scire facias be not found or adjudged for him, 11. H. 6. 10.

Corporations, Maiors, and head officers of the same.

*No new ordi-
nances with-
out consent of
the Chancellos
or Justices.*

No Masters, wardens, and fellowships of Crafts or Mysteries, nor any of them, nor any rulers of guildes or fraternities, shall take upon them to make any acts or ordinances, ne to execute any by them heretofore made, in disheriting or diminution of the prerogative of the Queene, nor of other, nor against the common profit of the people, but if the same acts or ordinances be examined and approued by the Chancellos, Treasurer of England, or chiefe Justice of either benches, or thre of them, or before both the Justices of Assise in their circuits or progress, in the Shire where such acts or ordinances be made, upon paine of forfeiture of xl. li. for every tyme that they do the contrary. 12. H. 7. 7.

*No ordinance
to restraine
suite in the
Municipal
court.*

2 **N**one of the same bodies corporate, shall make any actes or ordinances to restraine any person to sue to the Queene, or to any of her courts, for due remedie to be had in their causes, ne put ne execute any penaltie or punishment upon any of them, for any such suite made, upon paine of forfeiture

cure of xl. li. for every time that they doe the contrary. 19. P. 7. 7.

3 **C** No Masters, wardens, or fellowships of Crafts, nor any of them, nor any rulers of fraternities, guildes or brotherheads, shall compell or cause any pientise or iourneyman by othe or band, or otherwise, that he after his apprentiship or terme expired, shall not set vp, nor keepe any shoppe, house, or seller, nor occupie as a freeman, without licence of the Master, wardens or fellowship of his occupation, for and concerning the same, vpon paine to forfeit for every time that they or any of them shall offend contrary to this Act, xl. li. to the Q. and J. &c. to be recovered by A. J. &c. wherein no C. P. &c. 28. P. 8. 5.

None shalbe restrained to keepe shop.

4 **C** No Master, wardens, or fellowships of Crafts, nor any of them, nor any rulers of fraternities, &c. shall take of any apprentice or other person, for the entrie of any pientice into their said fellowships aboue the summe of ii. s. vi. d. nor for his entrie when his percs and terme is expired, aboue iii. s. iiii. d. vpon paine to forfeit for every time that they or any of them shall offend contrary to this Act, xl. li. to the Q. & J. &c. to be recovered by A. J. &c. wherein no P. C. &c. 22. P. 8. 4. 28. P. 8. 5.

The fees for entrie of apprentice and freemen.

5 **C** All and every peculiar Act, order, rule & estatute heere tofore made, or heereafter to be made by any founder, or founders of any Hospitall, College, Deanrie or other corpozation at or vpon the foundation of the same, whereby the grant, lease, gift, or election of the gouernour or ruler of such Hospitall, College, Deanrie, or other corpozation, with the assent of the moze part of such of the same Hospitall, &c. as haue or shall haue voice of assent to the same, at the time of such grant, lease, gift, or election to be made, should be in any wise hindred or let by any one or moe bring the lesser number of such corpozation, contrary to the course of the Common law of this Realme, shalbe clerely void. And all othes heretofore taken (vz. before the said statute made) by any person of such Hospitall, College, Deanrie, and other corpozation, shall be for and concerning the obseruance of any such order, estatute, or rule, deemed void. And no person of any such Hospitall, College, Deanrie or other corpozation, shall be in any wise compelled to take any othe for the obseruing of any such order, estate or rule, vpon the paine of every person giuing such othe, to forfeit for every time so offending, v. li. to the Q. and J. &c. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. or other dilatorie plea shall be allowed. 33. P. 8. 27.

In corpozations none shall haue a negatiue voice.

6 **C** All and singular officers of every City, Borough or Towne where any Custome, Tolle, dueties or summes of money shall be demanded of any Alien bozne made denizen, shall set vp or cause to be set vp in open place & places of every such Citie, Borough or town, a table or tables by which the certaintie and very duetie of every such custome &c. of wares to be demanded, may plainly appeare, to the intent that nothing be exacted otherwise then in olde time hath bene vbled, vpon paine that every Citie not doing the same, shall loose v. li. and every town corporate xl. s. for every moneth the

Officers shall set by tables of all dueties.

Corporations, Maiors, and head Officers, &c.

The tables in
London touch-
ing Dea-
nage.

the same table shall faile to be set vp, to the D. & J. to be recovered by A. J. &c. wherein no M. &c. P. Provided by the table set vp in London, touching Scavage within the same, shalbe first viewed, examined, and approued by the Chauncelloz and Treasor of England, the President of the Queenes Counsell, the Lord priue Seale, the Lord Steward of the Queenes house- hold, and the two chiefe Iustices &c. for the time being, or by foure of them at the least, and by them subscribed, 22. H. 8. 8. S. Aliens 3.

Compacts
made by vit-
tailers.

7 ¶ If any conspiracie, couenant, or promise be made by any societie, brotherhood, or company of any craft or myserie of the Butchers, Byuers, Bakers, Butlers, Cookes, Coltermongers, or Fruterers, that they shal not sell their vitailles but at certayne prices, with the presence or consent of the moze part of them, then immediatly vpon such conspiracie &c. beside the particular punishment appointed to the offendour, their corporation shalbe dissolued to all intents, 2 E. 6. 15. S. Artificers 1.

What offend-
ers officers of
Townes cor-
porate may
heare and de-
termine.
Apparell.

8 ¶ Maiors, Sherifes, and Bailifes of Cities, Boroughs, & Townes corporat, in their courts shall and may inquire, heare, and determine all offences committed within the limites of their iurisdiction, contrary to the statute provided 1. and 2. H. and H. for the reformation of excesse in apparell. And where any forf. shalbe found within y^e precinct of any Citie, Borough, or Towne corporat, the Maior, Sherife, and Bailifes of the same shall haue the one halfe, and he that will sue in any court of record the other. And euery Maior, Bailifes, &c. hath authoritie vpon the conuiction of euery such offendour, to a ward proces to the Sherife of any Shire for the apprehension of him, which being apprehended, shall be committed by the said Sherife to the Gaole, there to remaine, untill he hath paid the forfait wherein he is conuicted, 1. and 2. H. and H. 2. S. Apparell 17. 18.

Apparell.

9 ¶ The Aldermen in their wardes may inquire of all offences & forf. committed contrary to the statute provided, 24. Hen. 8. for the reformation of excesse in apparell, and to assesse fines vpon the offendours according to the said statute, 24. H. 8. 13. S. Apparell 1. &c.

Arrowheads.

10 ¶ Maiors, Sherifes, and Bailifes of Cities, and Boroughs, haue power to enquire within the same, of all false makers of Arrowheads, and Quarels, and to punish them according to the statute in that case provided, 7. H. 4. 7. See Arrowheads 1.

Artificers.

11 ¶ Maiors and Bailifes at their Courts haue authoritie to inquire, heare, and determine all and singular offences committed by vittailers, artificers, workemen, and labourers against the statute for them provided, 2. Ed. 6. and to punish the offendours according to the tenour of the same statute, 2. Ed. 6. 15. S. Artificers 1.

The prices of
Ale & Beere.

12 ¶ In euery Citie, Borough, and Towne, where there be Maiors, Sherifes, or head Officers, they haue authoritie to name and sesse the prices of euery Barrell, Kilderkin, and Firkin of Ale and Beere, and the Ale and Beere Byuers shall not sell their Ale & Beere at higher prices, then shalbe assessed

assessed vnto them. 23. H. 8. 4. S. Bruers. 2.

13 **T**he Maiors, Bailiffs, and other head officers of the port or place where any souldier shall arrive (which hauing mustred and receiued the Queenes wages, doth depart from his Capteine within his terme without licence) haue authoritie to arrest and keepe the same souldier vntill further inquirie (according to the order of the law) be made of his offence. 18. H. 6. 19. See Capitaines. 3.

14 **T**he piles of all Barelles, Kilderkins, Firkins, and other vessels to be solde for ale, breere, or sope, to be vitted therein, shalbe taxed by Maiors, Bailiffs, and other head officers of euery citie, and towne corporat, where any such vessels shalbe made or offered to be solde. 8. El. 9. S. Coopers. 1.

15 **T**he Maiors, Shiriffs, Bailiffs, Constables, and other head officers in such cities, boroughs and townes, wherein no wardens of Coopers be, haue authoritie to search, view, and gauge all barelles, kilderkins, firkins, and other vessels, that they be made and marked sufficiently, and containe the true and lawfull rates and measures, and to marke euery vessell bearing the true content. And to take for searching and gaging of euery such vessell. 9. And they may retaine the vessell vntill they be satisfied thereof. And if they finde any vessell defectiue, not bearing the true contents, they may retaine the same, and cause to be marked and amended, or els to be burned. And the same authoritie haue the wardens of the Coopers within London, taking with them an officer of the Maiors, to search and marke all all vessels within London, the suburbs, and two miles compasse of the suburbs. 23. H. 8. 4. S. Coopers. 2.

16 **A**ll Maiors, Bailiffs, and gouernours of cities, boroughs, townes, markets, and all other places of this Realme, where there be Maiors, bailiffs or gouernours, haue authoritie to name and chuse discrete and expert person or persons, daily to search and gauge all vessels of Salmon, Herring, and Eeles, that they be faithfully packed, and keepe their measure, and assise. 22. Ed. 4. 2. 11. H. 7. 23. S. Fish. 8. 9. 10. 11.

17 **T**he Maiors, Shiriffs, and bailiffs of cities, boroughs, and townes corporat in their courts shall and may inquire, heare and determine, all and euery the offences committed contrary to the statute prouided 13. El. for the continuance of making of cappes within the limits of their iurisdiction, and where any forfeiture shall be found within the precinct of any citie, borough, or towne corporat, then the Maiors, Shiriffs, bailiffs shall haue the moitie thereof, and the other moitie shall be distributed at the chiefe Rulers discretion, amongst the poore of the same citie, borough, or towne corporat, where the trespassse shalbe found. 13. El. 19. S. Hats. 1. 2.

18 **I**t is lawfull to the Master and wardens of the Company of Wharfbashers within London, calling to them one of the Company of Cappers, and another of the Makers of hattes, as often as neede shall require, within the said citie, or thre miles compasse of the same, to search all Cappers.

Corporations, &c.

pers and makers of Wattes and the offenders, and defaults by them found, to correct and punish, as in like cases they doe other offenders and defaults within the said Company. And it is lawfull to all Maiors, Bailifes, & other head Officers in all other Cities and Townes corporat, to doe the like, 8. Eliz. 1. S. Wattes 4.

Labourers
servants.

19 **C** For the authoritie & duetie of every Maior, Bailife, or other head Officer of any Citie, Borough or Towne corporat, concerning y^e wages, order, direction, & reformation of labourers, artificers, servants, & apprentices, within the limits of their iurisdiction, by force of y^e statute therfore provided, 5. El. 4. S. Labourers &c. and Iustices of peace, 66. 67. 68. And all amercements, fines, issues, and forfait which shall growe by reason of any offences mentioned in the said Statut, or any branch thereof, within any Citie, or Towne corporat, shall be leuied and receiued by such persons of the same Citie or Towne, as shalbe appointed by the Maior or other head officer thereof, to the vse or maintenance of the same Citie or Towne, in such case as other amercements, issues, &c. haue bene vled to be leuied and employed within the same by reason of any graunt or Charter from the Queene, or of any her Progenitors graunted to the same Citie or Towne, 5. Eliz. 4.

Tanners,

20 **T**he Maior of London within the said Citie, and within threemiles compasse thereof, and all other Maiors, Bailifes, and other head Officers of Cities, Boroughs, and Townes within their severall iurdictions, shall inquire, heare, and determine al offences committed contrary to the Statut provided 5. Eliz. touching Tanners, Curriers, Shomakers, and other artificers occuppying the cutting of Lether, and also shall by their discretions, examine all persons suspected to offend the said Act, or any parcell thereof, and the third part of al penalties of summes of money forf. by the said act, in any Citie, Borough, or Towne, shall go to the said Citie, Borough, or Towne, where the offence shalbe committed, 5. El. 8. S. Lether.

Liveries, Re-
tainers,

21 **T**he Maior, Sherife, Bailife, or other chiefe Officer of every Citie, Borough, Towne, & Port within this Realme, hauing power to heare and determine personall pleas in the Court holden before them or any of them, within any such Citie, Towne, &c. haue authoritie to receiue information of any persons, which shal giue any suery or badge, or retaine any other then his meniall seruante, officer, or learned man in the one lawe or other, by wpyting, othe, or promise, and of any person which shalbe so retcyned, and to heare and determine aswel by examination, as by tryal, all things done concerning the same, by or to the inhabitants within the iurisdiction of the same Court. And to put the Statut for those offences provided in execution, and the Queene shall haue the one moitie of all penalties forfaitied by the said Statute. And the Informer, and chiefe Officer of such Citie, Borough &c. shall haue the other, equally to be deuided betwixt them. And the said chiefe Officers part, shall be employed to the vse of the said Citie, Borough, &c. 8. Ed. 4. 2. S. Liveries 5.

22 **C** All and singular Maiors, Bailifes, and Iustices of peace within Preachers, any Citie, Borough, or Towne corporat, in any partes within this Realme, within the limites of their Commission, haue authoritie to enquire of all offenders against Preachers and other Ministers of the Church, and to heare and determine the same, and to set fines and amercements of the said offenders, as in the statute therfore provided is limited, 1. Hen. 3. See Preachers 1. 2.

23 **C** All Maiors, Bailifes, Sherifes, and other head Officers, shall cause the statute provided against vnlawfull games, and for the maintenance of Artillerie, to be openly proclaimed once every quartet of a peere in every Market, holden within their seuerall iurisdictions, 33. H. 8. 9.

24 **C** Maiors, Sherifes, Bailifes, and other head Officers in Cities, and Townes corporat, in their courts within the limits of their authorities, haue power to enquire, heare, and determine all and singular offences done in the land, or within any Haven or Peere, contrary to the statute made, 5. Eliz. (touching certaine politique constitutions for the maintenance of the Naup,) and if any person shalbe presented before them, within the limits of their authoritie or any information giuen to them of any offender of the said Act: Then they haue authoritie thereupon to make proces against the offender, as is commonly vsed vpon indrements of trespass, and if any be presented, and afterward convicted by confession or otherwise, then he shall suffer no lesse foze, or punishment, then in the said Act is limited, for the leuying of which foze, the said Maiors and other head Officers, within the limites of their authorities, haue power to make such proces, as they shall thinke good by their discretions: But the information at the parties suite shall be within halfe a peere, and the information or presentment at the Queenes suite, shalbe within one peere after the offence committed, or else the same shall not be of effect to put the partie to answer or losse, 5. Eliz. 5. See Fish-dayes, Hemppe and flaxe. 2. Ships. 1. 2. 3. 4. 5.

25 **C** Maiors, Sherifes, and Bailifes of Cities, haue authoritie to enquire, heare, and determine of all and singular offences committed contrary to the statute provided 37. H. 8. against Usurie, 13. Eliz. 8. S. Usurie.

26 **C** All Maiors, Sherifes, Bailifes, & other head Officers of Cities, Boroughs, and Townes corporat, within the limits of their commissions, as well within Franchise as without, haue authoritie to examine, heare, inquire and determine the defaults of such as shal attempt to sell any wines in grosse or by retaille, contrary to the statute provided, 28. Hen. 8. and to punish the offenders, by imprisonment or otherwise by their discretions, 28. Hen. 8. 14. S. Wines 1. 2.

27 **C** Maiors, Sherifes, Bailifes, or chiefe gouernors of such Cities or Townes, where any Carracke, Galley, or ship shal come to safe Port of any marchant strangers, their factors, attorneys, or seruants, shall search, or suruey the Bowstaues brought, sent, or conueyed into this Realme by the said marchants

vnlawfull
Games.Maintenance
of the Naup.

Usurp.

Wines.

Searching
marking of
of bowstaues.

- merchants &c. And that assigne two expert men to searche said staves, which two men shalbe sworn by the said Maior &c. that they shal truly & indifferently marke the staves that be not good & sufficient, that all the Queenes people may haue knowledge of them, 12. Ed. 4. 2. 13. Cl. 14. S. Bowes 1.
- Riding armed.** 28 ¶ Maiors and Bailifes of Cities & Boroughs within the same Cities and Boroughs, haue power to make execution of the statute of Northampton, provided 2. Ed. 3. against those which shall goe or ride armed, 2. Ed. 3. 4. 20. R. 2. 1. S. Armour 10.
- Free election.** 29 ¶ No great man or any other by strength or threats, shall disturbe or hinder free election to be made, West. 1. 3. E. 1. 5. But when any dignitie is void, they which haue the election, shall freely without threats of any secular power, intreatie or oppression, proceede to their election, Artic. Cleri, 9. Ed. 1. 14.
- Arrestes.** 30 ¶ That the Maior and chiefe Officers of Cities and corporat Townes, which may keepe Sessions as Iustices of Peace, may commit to prison any person vehemently suspected of any of the offences of speaking, &c. false newes against the Queene, inquire of the offences, and endite the offenders, S. Newes 11.
- Poor people.** 31 ¶ What Maiors and other head Officers shall or may doe for the placing, prouision, reliefe, reforming, or punishment of poore persons within the limits of their authoritie, S. poore people &c. And what for the punishment of Vagabonds and sturdy beggers, S. Vagabonds &c.
- Vagabonds.** 32 ¶ For the authoritie of Maiors, and other head Officers, concerning the restrayning of vnlawfull games within their iurisdiction, and the punishment of the offenders, S. Playes &c. 5. 6.
- Vnlawfull games.** 33 ¶ Where any Corporation or Company, or the head Officers of the same, shal make forfait, or be punished for any particular persons offence, S. Lether 26. 30. Drapery 35. 46. Gold 12.
- Appointe of fences.** 34 ¶ That it is Mortmaine for the chiefe Officer of a corporat Towne, to purchase any land to the vse of the Corporation S. Mortmaine 4.
- Mortmaine.** 35 ¶ That the Maiors and other head Officers shall appoint expert men, to search and seale Lether S. Lether 22. 23. 25.
- Searchers of Lether.** 36 ¶ That Maiors and head Officers of corporat Townes, shall appoint certaine to search and seale cloth. S. Drapery 33. 34.
- Cloth searched.** 37 ¶ How the chiefe Officer of any Citie or Towne, shal vse faultie cloth presented vnto him, S. Drapery 31.
- Faultie cloth.** 38 ¶ That a Maior or head Officer shall receiue the names of those which shoote in Gunnes, and cause them to be recorded, S. Gunnes 11.
- Gunnes.** 39 ¶ By what names the Physicians in London be incorporat, what priuiledges they haue, and what they may doe, and that all Maiors and other Officers shall assist them, S. Physicians 1. 4. 5. 7. 10.
- Physicians.** 40 ¶ That the Maior and Wardens of the Sheremen of London may search the workmanship of Fustians and Clothes, S. Fustians 1.
- Fustians.**

12 What the wardens of Goldsmithes shall forfeit, if any worke by them touched & allowed for good, be after found deceitfull, S. Gold. 12. Goldsmiths.

13 That the Maior or chiefe officer of any citie & towne, may search all oiles brought into the same to be solde, destroy that which is faultie, and punish the offenders. S. Oyle, 1. 2. Oile.

14 That the wardens and searchers of Couerlets within Yorke, may search in all Faies, from Trent Northward, for all Couerlets made within the countie of Yorke, S. Couerlets. 3. Couerlets.

15 That the Maior, Recorder &c. of Norwich, shall admit those which shall make hats, couerlets, and dornikes within the countie of Norf, and take nothing therefore, S. Couerlets. 5. Hats, 3. Hats, Couerlets, Dornikes.

16 That the head officers of corporat townes, may appoint expert men to search vessell of Pewter and Brasse, S. Pewterers. 5. 6. 7. Pewter, brasse.

17 What apparell Magistrates in corporat townes may weare, S. Apparell. 16. 17. Apparell.

18 That a common officer in a corporat towne, shall be no Custommer, S. Custome, 20. A common officer no custommer.

19 That the head officers of cities and townes, shall arrest the Caters of Noble men and others, which take any thing from any man, without the owners good will. S. Purueyors, 1. Caters.

20 That head officers of cities and corporat townes may inquire of the offences prohibited by the statute made for the vniformitie of Common prayer. S. Sacraments, 7. Uniformitie of Common prayer.

21 How Riots, Routs, and Assemblies made in cities and corporat townes, which haue Iustices of peace, shall be inquired of and repressed. S. Riots, 13. Riots, Routs, &c.

22 For all the duetie of Maiors and other head officers of cities and townes corporat, concerning the executing of the statute prouided against vnlawfull and rebellious Assemblies. S. Riots. 16. 17. 20. 21. 24. 25. 26. Vnlawfull assemblies.

23 That Maiors, Bailifs &c. shalbe attendant vpon the Coroner, at the executing of an abiured person. S. Sanctuary. 4. Abirations.

24 That Maiors, Bailifs, &c. of cities and boroughs, may order, reforme and punish Vitailers. S. Vitailers. 1. 4. 7. Vitailers.

25 How the prises of vitailles shalbe assessed when any Vitailer is chosen to beare office in any corporat towne. S. Vitailles. 9. Vitailles.

26 For the authoritie of the head officers of corporat townes, in keeping, marking, viewing and examining of waights and measures. See Waights. 7. 8. 10. 11. Waights, Measures.

27 That the head officers of corporat townes, shall haue the moitie of the forfeitures of those which sell wine in grosse, contrary to the prices assessed &c. S. Wines, 2. Wintners.

28 That head officers of corporat townes, may enter into a Marchants house.

Coroners.

- house** which denieth to sell wine at the price assessed, &c. and sell and deliver the same, S. Wines, 4.
- Wines.** 29 That none shall sell wines in Townes corporat, but by the assignement of the head officers thereof, S. Wines 9.
- Wines.** 30 That head officers of corporat Townes haue authoritie to assay wines, and powre out the corrupt, S. Wines 15.
- Musters.** 31 Where and before whom inhabitants in corporat Townes shalbe charged to appeare at musters, S. Captaines 15.
- Union.** 32 That there shall be no vnion of any Church in a corporat Towne, without the assent of the Maior and Comminaltie &c. S. Ecclesiast, 32.
- Scauage.** 33 That no head officer of a corporat Towne shall take Scauage, or Shewage of a marchant for marchandises customed &c. S. Marchants 2.
- Parliament.** 34 For the duetic of head officers of corporate Townes, about the electing and returning of Burgesles of the Parliament, S. Parliament 5, 6.
- Abiured person.** 35 That the head officers of a corporat Towne, may take out of Sanctuarie an abiured person committing felony, S. Sanctuarie 9.
- Recoueries.** 36 For the force of recoueries, deedes inrolled, or releases in certaine corporat Townes, S. Women 5.
- Fish.** 37 That ordinances of Corporations made for the restraint of any person to take, buy, or sell fish, shalbe void, S. Fish 23.
- Wales.** 38 That corporat Townes in Wales may hold pleas and determine actions, as in England, S. Wales 55.

Coroners.

**Who shalbe
Coroners, and
by whom and
where they
shalbe chosen.**

ALI Coroners of Shires shall be chosen in the full Counties, by the commons of the same Counties, of the most meete and worthie people, which may be found in the same Counties to execute the said offices, and of the most sage and wise Knights which doe best know, can, and wil attend vnto the same office, and which will lawfully attach, and present the pleas of the Coron. 3. Ed. 1. 10. Alwayes sauing to the Queene and other Lords which ought to appoint such Coroners their Franchises, 28. Ed. 3. 6. But no Coroner shall be chosen, if he haue not sufficient land in fee in the same Countie, whereof he may answer all people, 14. Ed. 3. 8.

**Of what
things Coroners
shall
inquire.**

If any Coroners be aduertised by the Quernes Bailifes, or other honest men of the Countrey, to come to those that be slaine, suddenly dead or wounded, or to house breakers, or to any place where treasure is found, they shall immediatly come, and forthwith commaund foure, five, or sixe of the next Townes, that they appeare before them in such a place, and when they come, the Coroners upon their othe shall inquire if they did know of the man that was killed, where he was first slaine, whether in the field, or in the house, bed, cauerne, or in any company, and who were there, 3. Ed. 1.

Further.

**Enquire of
the offenders.**

Like wise they shall inquire who were culpable, either of the Act or force, and who were present, either men or women, and of what age they be, so they can speake and haue discretion: And they which be found guiltie by Inquisition

Inquisition in the foresaid maner, shall be taken, deliuered to the Sheriffe, and committed to the Gaole; and as many of them as be not found guiltie shall be attached, vntill the coming of the Iustices, and their names inrolled, 3. Ed. 1.

4. ¶ If any man be suddenly slaine, and found in the fieldes or woods, it is to be considered whether he were slaine there or not, if he were brought thither, their steppes that brought him (if it may be) shall be followed, and so shall the tracke of horse and cart, &c. And also it shall be inquired, if he that were slaine were knownen, or unknowen, and where he lodged the night before. And if any be found guiltie of the death of such, immediatly the Coroners shall come to his house, and inquire what cattell he hath, and what coine in his grange, and what on the ground, and if he be a freeman, what free land he hath, and what it is worth by the yeere, beside the Lord of the fees seruice, but the land shall remaine in the Queenes hands, vntill the Lord of the fee hath made a fine for it: And when they haue inquired of all things, then they shall cause them to be priced, as if they should straightway be sold, and then the body of him that is dead shall be buried, 3. Ed. 1.

open found
slaine.

5. ¶ Whoeuer, the Coroners shall inquire of them which be drowned, suddenly slaine, or strangled, by the signe of some hurt found vpon their bodies, or some other manifest token, and shall attache the finders and all other in their companie, 3. Ed. 1.

Suddenly
slaine.

6. ¶ A Coroner ought to inquire of Treasure that is found, who were the finders, and who are suspected thereof, which may be gathered by some mans delicate liuing, and frequenting of Tauerne, which (vpon suspicion) shall be attached by foure, sixe, or mo pledges, 3. Ed. 1.

Treasure
troued.

7. ¶ If any be appealed of Rape, he shall be attached by foure or sixe pledges, if the appeale be fresh, and the signe of trueth apparant, or an open outcry: But if it be without any manifest token or outcry, two pledges shall suffice, 3. Ed. 1.

Rape.

8. ¶ Upon appeale of Murther, if the wounds be mortall, they which be appealed shall forthwith be apprehended, & kept vntill it be knownen, whether he that is hurt shall recouer or not: if he die, they shall be retained, if he liue, they shall be attached by foure or sixe pledges, according to the bignesse of the wound: if it be for a murther, then there shall be no lesse then foure pledges, if a small wound, two will serue, 3. Ed. 1.

Murther or
wounding.

9. ¶ The length, breadth, and deepenesse of al wounds, ought to be viewed, and with what weapons, and in what part of the body the partie was hurt, and also how many wounds there be, how many be culpable, and who gaue the wound, all which things shall be inrolled in the Coroners roll, 3. Ed. 1.

The length,
breadth, and
deepenesse of
wounds.

10. ¶ Horses, Boates, Carts, commonly called Deodandes, whereby any person shall perish, shall be valued and deliuered to the whole Towneship, which shall be answerable therfore, 3. Ed. 1.

Deodandes.

Coroners.

Wrecke of
Sea.

11 **C**Whosoever layeth hands vpon the wrecke of the Sea, shall be attached by sufficient pledges, the price of the wrecke shall be valued and delivered to the Towne to answer, &c. Officium Coronatoris. 3. Edw. 1. S. Wrecke. 2.

Coroners shall
inquire & certifie
at the gaole
deliuerp.

12 **C**Many Coroner be remisse in vieweing of a dead body murdered or slain, & do not inquire of them that haue done the murder or death, of their Abbettons and Consentors, who were present thereat, and their names, or so found do not inroll, certifie, and deliuer his inquisition to the Iustices of the next Gaole deliuerie in the Shire, where the inquisition is taken, that the same Iustices may proceede against such murderers, if they be in the Gaole, or els certifie the inquisition into the Kings Bench, the said Coroner shall forfeit to the Queene for euery offence. v. li. 3. p. 7. 1.

Enquire of
escape of the
murderer.

13 **C**The Coroner vpon the view of the dead body, may enquire of the escape of the murderer, for if he doe the murder in the day and escape, the Towne shall be amerced. 3. p. 7. 1.

Recording evidence and
binding parties to giue it
at the gaole
deliuerp.

14 **C**Euery Coroner vpon any Inquisition before him found, whereby any person shall be indicted for murder or manslaughter, or as accessory to the same before the murder or manslaughter committed, shall put in writing the effect of the euidence giuen to the Iurie before him, being materiall. And he hath authoritie to binde all such by recognisance or obligation, as to declare any thing materiall to prooue the said murder or manslaughter, or to be accessory to the same, to appeare at the next generall Gaole deliuerie to be holden within the Countie, Citie, or Towne corporat, where the triall thereof shall be, then and there to giue euidence against the partie so indicted at the time of his triall, and shall certifie aswell the same euidence, as such bondes in writing which he shall take, together with the inquisition or indictment before him taken and found, at or before the time of his said triall to be made. And if any Coroner shall offend in any thing to the contrary, then the Iustices of Gaole deliuerie of the shire, citie, towne, or place where such offence shall be committed, vpon due prooue thereof by examination before them, shall for euery such offence, set such fine on such Coroner, as they shall thinke meet. 1. and 2. R. and P. 13.

A Coroner
shall come to
take abiu-
ration.

15 **C**If the Coroner of the shire or place, where any person shall take any refuge or Sanctuarie in any Churches, or Churchyards, Cathedral Church, Hospitals, Churches collegiat, Chapels dedicat, commonly vled as Parish Churches, or any cemetaries to any of them belonging, vpon reasonable request made, doe refuse to come in conuenient time, vnto such person being in Sanctuarie, there to take his confession and abiuuration, according to the lawes of this Realme, then the said Coroner for euery such default shall forfeit C. s. to the Queene. 3. 2. p. 8. 1. 2. S. Sanctuarie. 3. 4. 1.

To see where
any person is
slaine by mis-
adventure.

16 **C**A Coroner, which vpon request to him made, to come and inquire vpon the view of any person slaine, drowned, or otherwise dead by misadventure, doth not his office diligently vpon the view of such body, without any

any thing therfore taking, shal forfeit xl. s. 3. *Ed. 1. 10. 7. H. 8. 7.* But a Coroner shal haue for his fee vpon euery Inquisition taken vpon the viewe of a body slaine xiii. s. iiii. d. of þ goods and catels of the murderer, if he haue any: and if he haue no goods, the Coroner shal haue his fee of such amercements, as any towne shal be amerced for escape of such murder. 3. *H. 7. 1.*

The Coroners
fre where any
person is mur-
dered.

17 The Sheriffe shal haue counter roules with the Coroner, as well of Appeales of Enquests, as of attachments, and other things which doe belong to this office. *West. 1. 3. Ed. 1. 10.* But no Sheriffe, Constable, Escheator, Coroner, or any other Bailife of the Queenes, shal holde pleas of the Crowne, *Magna Charta. 9. H. 3. 17.*

The Sheriffe
shal haue coun-
ter roules with
the Coroner.

18 Upon an Inquisition to be made by the Coroner of the death of a man, euery one of the age of xii. yeres, ought to appeare, except they haue a reasonable excuse of their absence, *Marleb. 5. 2. H. 3. 24.*

Who ought to
appeare vpon
an Inquisition
of a mans death

19 If the death of a man (where the Coroners office is to make viewe and enquire) dooth chauce in any Countie where the Queenes house is, and within the verge, the Coroner of the same Countie shal be commanded with the Coroner of the Queenes house, to erecte his office, and to enroll it. And that thing which can not be determined before the Sherward, shal be remitted to the Common lawe, so that exigents, outlawes, and presentments shal be thereupon made to the Iustices in their circuites, by the Coroner of the Countie, as well as of other felonies done out of the verge. 28. *Ed. 1. 3.*

Enquire with
in the Verge,

But all Inquisitions vpon the viewe of persons slaine within any of the Queenes palaces or houses, or any other house, at such time as her Majestie shal be abiding in her royall person, shal be taken by the Coroner of the housholde of the Queene, or her heires, without adoyning of any other Coroner of any Shire, by the orbes of twelue or moze of the peomen Officers of the Queenes h. h. h. returned by the two Clerkes Comptrollers, the Clerke of the Chexke, Clerkes Parshall, or one of them for the time being, of the foresayd h. h. h. to whom the sayd Coroner shal direct his precept, which Coroner &c. shal be assigned by the Lord Steward for the time being. And the sayd Coroner shal from time to time for ever without delay certifie vnder his Seale, and the seales of such persons as shal be so sworn before him, all such Inquisitions, Indictments, and Offices vpon the viewe of all dead bodies which shal be slaine within any of the Queenes palaces or houses, or other house aforesayd before the sayd Lord Steward, and in his absence, before the Treasourer, Comptroller and Steward of the Marshalsey, or before two of them; whereof the sayd Steward of the Marshalsey to be one, and such Inquisitions and offices so certified, shal be taken as good to all intents, as any Inquisition taken vpon the viewe of the body of any person being dead, by any Coroner of any Countie of this Realme hath bene, or shal be aduoged. 33. *H. 8. 12. 27. H. 8. 24. 32. H. 8. 20. S. Fighting. 1.*

Enquire with
in the Queenes
house, in a house

Enquire with
in a house

20 Two head Coroners for the body of the Shire of Cheshire shal be elected by vertue of the Queenes writ de Coronatore eligendo, to be a

Coroners of
Cheshire.

warded

Statute of
the 13th of
Richard II.
1381.

warded out of the Eschequer at Chester, which Coroners shall be bound to sit with the Shireffe at the Shire Courts, to give judgments upon such doctories, and to doe all other things that appertaineth. 33. H. 8. 13.

Statute of
the 13th of
Richard II.
1381.

1 What every Coroner which shall be absent from the assessing of the wages of the Knights of the Shire shall forfeit. S. Parliament 12.

2 What Coroners shall forfeite if they doe conceale, or will not arrest Felons when they may. See Felonie 34.

Statute of
the 13th of
Richard II.
1381.

3 Where the Coroners shall impannell any Iurie, of what sufficiencie the Jurors shall be, what Issues they shall retorne vpon them, and vpon what paine. S. Riots 7.

4 That there shall be two Coroners in every of the 12 Shires in Wales how they shall be chosen, their office and ductie. S. Wales. 5. 1.

Statute of
the 13th of
Richard II.
1381.

Cofnage.

In writs of Cofnage Aiel & Betail, the which be of the same nature that an Assise of Mortdaucesfor is, the same answer shall be allowed for the tenant, that the Justices did allow him at the Common Law in Assise of Mortdaucesfor, viz. that the plaintife is not next heire of y^e Auncellor, by whose death the land is demaunded, and that shall be inquired of by the Assise, & according to the Inquisition judgement shall be given. West. 2. 13. Ed. 1. 20.

Statute of
the 13th of
Richard II.
1381.

Cottages.

No person shall within this Realme of England, make, build, or erect, nor cause to be made, builden, or erected, any manner of cottage for habitation of dwelling, nor reuered of ordene any building or housing made or hereafter to be made, to be used as a cottage for habitation or dwelling, vntill the same person do assigne & lay to the same cottage or building, foure acres of ground at the least to be accompted according to y^e Statute or ordinance determined in this behalf, being his or her owne freehold & inheritance, lying neere to the said cottage to be continually occupied and manured therewith, so long as y^e same cottage shall be inhabited, vpon paine that every such offender shall forfeit to the Queene her heires and successors x. li. for every such offence. 31. Eliza. 7.

Statute of
the 13th of
Richard II.
1381.

1 Every person which shall willingly vpholde, maintaine, and continue any such cottage hereafter to be erected, contrived, or ordeined for habitation of dwelling, whereunto foure acres of ground as is aforesaid, shall not be assigned and layde, to be vsed and occupied with the same, shall forfeit to the Queene, her heires and successors x. li. for every month that any such cottage shall be by him or them vpholden, maintained and continued. 31. El. 7.

Statute of
the 13th of
Richard II.
1381.

2 There shall not be any Inmace or more families or households then one, dwelling or inhabiting in any one cottage, made or to be made by erecting, vpon paine that every owner or occupier of any such cottage, placing or willingly suffering any such Inmace or other familie there one, shall forfeit to the Lord of the Leete within which such cottage shall be x. s. for every month.

neither shall any such Innkeeper, or other familie then one, shall dwell or inhabite in any one Cottage as aforesayde. 31. Eliz. 7. See Iustices of Peace. 101. Lertes 19.

4 **¶** Provided also, that this statute or anything therein contained, shall not be extended to any Cottage which shall be ordeined or erected, to, or for habitation or dwelling, in any Citie, Towne corporat, or ancient Borough or Market Towne within this Realme, nor to any Cottages or buildings, which shall be erected, ordeined, or converted to and for the necessarie and convenient habitation or dwelling of any workemen, or labourers in any mynerall workes, cole mynes, Quarries or velfes of stone, or slate, or in or about the making of Bricke, Tile, Lime, or Coles within this Realme; So as the same Cottage, or building be not above one mile distant from the place of the same mynerall or other workes, and shall be used onely for the habitation and dwelling of the sayde workemen, nor shall in any sort prejudice, charge or impeach any person or persons, for the erecting, maintaining, or continuing of any such Cottages, as as are before in this piouso mentioned and specified. 31. Eliz. 7.

5 **¶** This Act shall not extend to any Cottage to be made within a mile of the Sea, or vpon the side of such part of any Navigable River where the Admiral ought to haue iurisdiction, so long as no person shall therein inhabite but a Sayler or man of manual occupation, to or for making, furnishing, or virtuellling of any Ship, or vessell used to serue on the Sea, nor to any Cottage to be made in any Forrest, Chase, Warren, or Parke, so long as no other person shall therein inhabite, but an Underkeeper or Warrener, for the keeping of the Deere, or other game of Warren, nor to any Cottage heretofore made, so long as no other person shall therein inhabite, but a common heardman or shepheard, for keeping the cattel or sheepe of the Towne, or a poore, lame, sicke, aged, or impotent person, nor to any Cottage to be made, which for any iust respect vpon complaint to the Iustice of Assise at the Assises, or to the Iustices of Peace at the Quarter Sessions, shall by their order entered in open Assises, or Quarter Sessions, be decreed to continue for habitation for and during so long time onely, as by such decree shall be tolerated and limited. 31. Eliz. 7.

Couerlets.

No person dwelling within the Countie of Dorke, or nigh vnto the same, shall make any Couerlets or Couerings, to put to sale, vntill such person bee inhabiting within the Citie of Dorke, or within the Suburbes of the same, vpon paine of forfeiture of the same, or the value thereof. 34. H. 8. 10.

2 **¶** No person of the occupation of the handicraftes men of Couerlets makers dwelling within the sayd Citie of Dorke, or the Suburbes of the same, or else where within the sayd Countie, shall vse the craft of hauking

Cottages within corporat Townes.

Cottages erected.

Sale of couerlets in Dorke shire.

No Couerlet maker in Dorke shire shall go abroad.

abroad

20 Couerlets. Counterfeit letters, and tokens.

Abroad in the countrey to Villages and mens houses; or goe as hawkers, or put to sale any Couerlets in any other place, out of the sayd Citie and Liberties thereof, but onely in the open markets and faires, upon paine of forfeiture of the same Couerlets, or the value thereof. 34. H. 8. 10.

The Wardens shall make search for all Couerlets not well wrought or wanting lawfull assise. The assise of Couerlets,

3. **T**he Wardens and Searchers of the occupation of Couerlet makers within Dorke, and their successors, haue power to make search in all Faires and Markets from Great Northward within this Realme, for all such Couerlets as shalbe put to sale not being well wrought, and made of sufficient stuffe, or not containing a fassie accustomed (viz. the best sort ought to containe in length thre yardes, and in breadth two yardes and a quarter: the second sort should containe in length thre yardes, and in breadth two yardes: And the lowest or third sort should containe two yardes and a halfe in length, and in breadth one yarde and thre quarters.) And to seile and take the same as forfeited. 34. H. 8. 10.

Spaking of couerlets for their owne or Lords vse.

4. **B**ut it shalbe lawfull to euery person dwelling within the Countie of Dorke, to make Couerlets of what assise or stuffe they will, for their owne vse, or store of their householdes, or for their Lordes to whom they be tenants, so that the same shall not be put to sale. 34. H. 8. 10.

Couerlets and Dornicks in Norwich.

5. **W**hosoeuer doeth weaue any Couerlets, or Dornicks, or occupie the myserie thereof, within the Citie of Norwich or Countie of Norff. vntles he be admitted so to doe, by the Maior, Recorder, Steward, and two Iustices of the sayd Citie, or foure of them, or hath bene Apprentice to the sayd occupation of Couerlets, or Dornicks making, which he doeth occupie by the space of seuen yeres, or doeth make any Couerlets or Dornicks, or doeth occupie any of the sayd mysries in any place out of the Citie of Norwich in the Countie of Norff. but onely in a corporat or Market towne, and in Welfham, shal forfeit iii. s. iiii. d. for euery Couerlet, and vi. s. viii. d. for sixe yardes of Dornicks made to the contrary. And the Maior, Recorder, Steward, and Justice which taketh any thing to admit any man to occupie, shall forfeit for euery offence viii. s. Ed. 6. 24.

Counterfeit letters and tokens.

Whosoeuer shall falsely and decciefully, get into his possession any money, goods, or other things of any other persons, by colour of a priuy token, or counterfeit letter, made in any other mans name, and that be proued by confession, or examination of witnes, taken before the Lord Chancellor, the Queenes Counsel in the Starre Chamber, the Iustices of Assise in their circuits, the Iustices of peace in their Generall Sessions, the Iustices of any Citie or Towne corporat, or by action in any of the Queenes Counties of Record: shall haue such correction by imprisonment of his body, setting vpon the Pillory, or otherwise by any corporall paine (except death) as shalbe vnto him adiudged, by the persons before whom he shalbe convicted, and besides the partie grieved shall haue such remedy by action or otherwise for the same money, goods &c. as he might haue had, if this act had neuer bene

bene made. 33. H. 8. 1. S. Iustice of Peace 54.

Cowpers.

If any Cowper doe sel any Barrells, Kilderkins, Firkins, or other vessels, for Ale, Beere, or Hope to be vntered therein, aboue such prices which shall be assessed by the Iustices of the peace of the Shire in their Sessions, or by the Mayor, Bailiffe &c. of the Citie, Borough or Towne corporat, where the sayd vessels shalbe made or offered to be solde after Proclamation thereof made, he shall forsaite for euery vessell solde at a greater price iii. s. iiii. d. to the Q. and J. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 8. Eliz. 9. See Iustices of Peace. 79.

Iustices and head Officers may set prices of vessels.

2 Every Cowper shall make his vessels for Beere and Ale, of good and seasonable wood, & shall make a Beere barrel to containe xxxvi. gallons, a Kilderkin for Beere, xviii. a firkin for Beere, ix. a barrel for Ale, xxii. a kilderkin for Ale, xvi. a firkin for Ale, viii. gallons, of the Quenes Standard, or els he shall forsaite for euery vessell so not made, xii. d. to the Q. and J. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. And no Cowper shall make any vessel for Beere or Ale, to be solde, of any greater or lesser number of gallons then is aforesayd, vnlesse hee shall cause to be marked vpon euery such vessel the certaine number of as many gallons as it shall containe, that euery person may know the content. And if he marke not his vessell with his owne marke, he shall forsaite iii. s. iiii. d. 23. H. 8. 4.

The contents of Ale & Beere vessels.

3 Whosoever doeth diminish any barrel, kilderkin, or firkin, to the detriment of any other, by taking out the head, or any stasse from such vessel, shall forsaite iii. s. iiii. d. be punished at the discretion of the head Officer, before whom the default shall be presented, and the vessel shall be burned. 23. H. 8. 4.

Diminishing of vessels.

4 No Brewer shall sell, vter, or put to sale any Beere or Ale in any vessel or vessels within the Citie of London, or Suburbs of the same, or in any other place or places within two miles compasse without the same Suburbs before the same shall be lawfully gawged, and the true content of euery such vessel set downe vpon the same, by the gallon appointed and allowed for Beere and Ale according to the Standard, by the Master and Wardens of the mysterie of Freemen of the Cowpers of the Citie of London or their Deputie or Deputies: Nor shall sell, vter, or put to sale any Beere or Ale in any such vessel or vessels in any other place or places within the Realme of England and Wales, before the same shall be lawfully gawged, and the true content of euery such vessel set downe vpon the same by the gallon aforesaid, according to the Standard, by such as by the statute in that behalfe made (An. 23. H. 8. 4.) are to haue the gawging of barrells, kilderkins, and firkins made for Beere or Ale to be put in, in such other place within the Realme of England & Wales, vpon paine to forsaite all and euery such vessell & vessels wherein any Beere or Ale shall be vntered, solde, or put to sale, contrary to the true meaning hereof. And also all the Beere or Ale which shall be at the time of such vntering, selling or putting to sale therein contained, to him or them that

No Ale or Beere shall be sold in vessels brought from beyond the sea before they be gawged.

See Corporations

Cowpers.

that wil seise þ same, And vpon paine also to forf. for euery such best. l where-
in Beere or Ale shalbe so vttered, sold, or put to sale r. s. to the D. & J. to be re-
couered by A. B. D. J. or otherwise, wherein no C. P. M. J. &c. 31. El. 8.

What shalbe
taken for the
gawging of
vessels.

5 ¶ There shall be taken for the gawging of euery such vessel within the
Citie of London and suburbs of the same, and in euery place within two
miles compasse without the same suburbs, by the Master and Wardens of
the mysterie of Freemen of the Cowpers of the Citie of London for euery
But i. d. for euery Pipe i. d. for euery Puncheon ob. for euery Hoghead ob.
for euery Tierce ob. and for euery other vessell which shall at any time be
brought into this Realme from any þ parts beyond þ Seas, wherein Beere
or Ale shalbe vttered, solde, or put to sale within the sayd Citie or suburbs, or
any other place or places within two miles compasse without the same sub-
urbs after like rates and no more. And there shalbe taken for the gawging
of euery such vessel or vessels in euery other place within þ Realme of Eng-
land and Wales, by such person & persons as by the said stat. made (An. 23.
H. 8. 4.) are appointed for gawging thereof, after such like rates as are herein
before appointed to be taken for gawging within the Citie of London and
suburbs of the same, and in other places within two miles compasse with-
out the same suburbs. 31. Eliz. 8.

This act ex-
tendeth to all
Brewers Eng-
lish & Stran-
gers.
Reteyning of
the vessels un-
til þ gawging
money be paid

6 ¶ This act shall extend to euery person which shall vse or occupie the
mysterie of Brewing, aswel English boyme as Strangers. And it shalbe law-
ful to euery person which shal haue authoritie by vertue of this act to gawge
any vessell or vessels by this act meant or intended to be gawged; to reteine
euery vessel which shalbe gawged according to the meaning of this Act, until
the money which shalbe due for the gawging thereof, shall be truly satisfied
and payed. 31. Eliz. 8.

The Warden
of Cowpers
shal come to
the Brewers
house.

7 ¶ The Master and Wardens of Cowpers aforesaid or their sufficient
Deputie or Deputies within the space of xlviii. houres next after any reason-
able request to them or any of them made, shal come to any Brewer or Bre-
wers house, or other place in the said Citie of London or suburbs thereof, or
two miles distance of the same whereas their Casks shalbe, and there withall
reasonable expedition, shal gawge and marke the same Casks and euery of
them, vpon paine for euery default, to forf. to the partie by or for whom such
request as aforesayd shalbe made, the summe of xx. s. to be had and recovered
by the said partie against the Copporacion of Cowpers aforesaid by action of
debt in any of her Maiesties courts of Record at Westminster or els where,
in which accion no C. P. or M. &c. shalbe admitted or allowed. 31. El. 8.

Vessels filled
with Beere to
be transpoyted.

8 ¶ If any Scottish man, or any Stranger shal bring from Scotland
or from beyond the Seas, to the sayd Brewers or any of them any maner of
foyreine Casks, and shall require to haue Beere put into the same, and will
transport the same Beere from hence, eieher into Scotland, or ouer the seas
there to be drunke, then in euery such case it shall and may be lawfull to and
for the said Brewers, or any of them, to fill all such Casks with Beere at such
a rate

a rate and reckoning, as he and his marchant can agree without hauing the sayd Calks or any of them gawged or marked as is aforesayd, and without incurring any penaltie theretofore: this Act &c. notwithstanding. This Act to continue to the ende of the next Session of the next Parliament. 31. El. 8.

1 That no Ale or Beere bruer shall occupie the mysterie of Cowpers. See Brewers 1.

Countie or Shire Court.

NO Countie Court shalbe longer deferred, but from one moneth to another, and the said Court shalbe kept euery moneth, & none otherwise. 2. Ed. 6. 25. And in like sort shal the Countie Courts in the xii. Shires in Wales, and in the Countie of Pommouth, be kept. 34. H. 8.

Costly courts shall be kept monethly.

2 The Sherife of the Countie of Northumberland shall keepe the Countie Court of that Shire in the Towne and Castle of Alnewicke and in none other place. 2. Ed. 6. 25. The Shire Court for the Shire of Suffex, shalbe kept one time at Chichester, and another time at Lewes, alternis vicibus for euery. And if any Shire Court be holden to the contrary, all things therein done shalbe voyde. 19. H. 7. 24. The Sherife of the Countie of Chester is bound to keepe his Shire Court in the Shire hall of the sayd Countie. 33. H. 8. 13. And the Sherifes Shire Courts in Wales of the Countie of Brecknock, shalbe holden at Brecknock, Of Radnor, at new Radnor, and Preston, Of Mountgomery at Mountgomery and Dagbenleth, Of Denbigh, at Denbigh, and Wrexham, Of Pommouth, at Pommouth & Newport, alternis vicibus. Anno 27. H. 8. 26.

In what townes the Shire Courts of severall shires shalbe kept.

1 Within what time Sheriffes in Wales shall keepe their Countie Courts and Hundreds, and what fees they shall take therein. See Wales. 41.

Wales.

Crowes, Rookes, Choughs.

IF the inhabitants of any Parish, Towneship, Hamlet, Borough, or Village, wherein there be ten households inhabited at the least, doe not prouide a net to take Crowes, Choughs, and Rookes, with all things requisite, or belonging to the same, and keepe & renew the sayd net as often as neede shalbe, and with a Shapc made of Chaffe, or other meete thing, lay the same at such time and place as is conuenient for the destruction of such Crowes, &c. they shall forf. x. s. to the Queene and Lord of the Court, Leete, Lawday, or rape, where such net shalbe lacking, and not made and put in execution according to this Act, to be leuied of the tenants and inhabitants of the sayde Parish, Towneship, &c. where such net shall be lacking, and not put in execution. 24. H. 8. 10. 8. Eliz. 15.

Euery towne shall haue a Crowe net.

2 The Churchwardens and sixe other Parishioners by them requested, shall yeerely asseffe euery person hauing the possession of any lands or tithes within their Parishes, to pay such summe of money as they shal thinke meete according to the quantitie and portion of their land or tithes, which they

Money leuied for the destruction of vermin.

Crows, Rooks, Choughs.

Distributers.

they haue or holbe, And a bill indented of the summes so sessed with the forfeitures (if any be) shalbe deliuered by the Churchwardens to two persons of the same Parish, which shalbe appointed distributers of the prouision for the destruction of Crows, and other uolsome foule and vermin. And if any person doe not pay the summe of money so taxed, within xiiii. dayes next after request made by the Churchwardens, or one of them, he shal forfeit v.s. which (with the money taxed) shalbe leuied by distresse of the goods of such person refusing, which distresse shalbe vled in such maner as distresses taken for ameracements in any Leetes, 8. Eliz. 15.

Officers refusing to do their duties.

3 ¶ If any of the Churchwardens, sixe persons, or two distributers shal refuse, or make default in execution of this act, or any part thereof, hee shal forfeit v.li. to the D. & J. (vsling tillage yearly within the same Shire, to be rec. by A. J. &c. wherein no W. &c. E. P. &c. 8. Eliz. 15.

The reward of them which shall destroy vermin.

4 ¶ The distributers shall pay of the money so to them deliuered, to euery person that shall bring to them three heads of any old crows, choughs, Pyes, or Rookes, taken within their seuerall Parishes i.d. for the heads of sixe pong of any of them i.d. for euery sixe eggs of any of them unbroken i.d. for twelue Stares heads i.d. for euery head of Harten Watkes, Fursekite, Polokite, Bullard, Schagge, Carmerant, or Ringtaile ii.d. and for euery two eggs of them i.d. for euery Iron, or Dispayes head iiii.d. for the head of euery Woodwall, Pie, Jay, Raven, or Kite i.d. for the head of euery bird called the Kings fisher i.d. for the head of euery Bulpynch or other bird that deuoureth the blouth of fruite i.d. for the head of euery Foxe or Grape xlii.d. And for the head of euery Fitchewe, Polcat, Wessell, Stote, faire Bade, or Wildcat i.d. for the heads of euery Otter, or Hedghogs, ii.d. for the heads of euery thre Ratts, or twelue Pice i.d. for the heads of euery Holwarpe or Wast. ob. And besides the takers shall haue all the Crows and other vermin to their vles. 8. Eliz. 15.

Entering into other mens grounds to kill vermin.

5 ¶ It is lawfull for euery person that will trauaile for the taking of Crows and other vermin abouesayd, to enter for the same purpose, into any place therfore conuenient, with the consent of the owner or occupier of the same, and there to vse such nets, engins, and other reasonable deuises, as are meete for the taking and destruction of such vermin (handguns & crossbowes excepted.) An. 8. El. 15.

Obiudgance of the breeding of other foules.

6 ¶ This act shal not giue libertie to any person to vse any meane or engin for the destruction of Crows, or other the foresayd vermin, to the let or destruction of the building or breeding of any kinde of Watkes, Herons, Egrets, Paupers, Swannes, or Shouelers, or of any Doves, Dovehouses, Deere, or Warren of Conies. 8. El. 15.

No allowance for vermin killed in Warrens, Dovehouses.

7 ¶ No money shall be giuen to any person by force of this Act for the head of any Bullard, Ringtaile, Iron, Polcat, Fitchewe, or Stote taken in any Parke, Warren, or ground imployed to the maintenance of Conies, or for any Stares taken in Dovehouses, or for the head of any Kite, or Raven killed

Raven killed in any Citie or towne corporat, or within two miles of y^e same, 8. El. 15. 14. El. 11. to continue to the ende of the next Parliament.

Custos Rotulorum.

The Chauncelloz of England, or Lord Keeper of the Great Seale for the time being, shall from time to time without any bill to be assigned with the Queenes hand, name and appoint such person to be Custos Rotulorum, within euery Shire of this Realme of England, Wales, and other the Queenes Dominions, Parches, and Territories of the same, as by the discretion of the sayd Lord &c. shall be thought meete to haue and exercise the same. And the sayd person so appointed shall and may exercise and enioy the same Office of Custos Rotulorum by himselfe, or by his sufficient Deputy or Deputies. 3. Ed. 6. 1.

The Lord Chancellor shall appoint the Custos Rotulorum.

2 But the Bishop of Dorke, of Durham, of Ely, and euery of their successors, the Chauncelloz of the Duchy of Lancaster for the time being, and euery person, corporation, and body corporat, which haue authoritie, by lawfull meanes, to ordeine any of the sayd Offices of Custos Rotulorum within any place, shall and may enioy the same authoritie, according as they haue had the same, this Act &c. notwithstanding. 3. Ed. 6. 1.

These may appoint the Custos Rotulorum.

Customes, Subsidies, Customers, Comptrollers and Seachers.

Anno 1. Eliz. A Subsidie of Tonnage was graunted to her Maiestie during her life. That is to say, of euery Tunne of wine comming into this Realme by way of marchandize iii. s. And of euery Tunne of sweete wine comming in by any marchant Alien, iii. s. moze aboue the first iii. s. of euery Aune of Renish wine brought in by any marchant xii. d. And also another Subsidie of pondage was graunted, that is to say, of all goods of euery marchant Denizen and Alien, to be caried forth or brought into this Realme by way of marchandize, of the value of euery xx. s. of the same goods xii. d. And of euery xx. s. value of Cinne & Water vessell caried forth by any marchant Alien xii. d. moze beside the first twelue pence (excepting out of the sayd Subsidie all Woollen cloth made within England, and by euery or any marchant Denizen and not bozne Alien, to be caried forth, and all woolls, woolfels, hydes, and backs of leather, to be caried forth of this Realme, and all wines, fresh fish and Bestial comming into this Realme.) Also an other Subsidie was graunted to her Grace, viz. of euery marchant Denizen of and for euery sacke of wooll, xxxiii. s. iiii. d. for euery C. xl. woolfels, thre and thirtie shillings and iiii. d. for euery last of hides & backs, iii. li. vi. s. viii. d. Of euery marchant Stranger, aswel Denizen as other, for euery sacke of wooll iii. li. vi. s. viii. d. of euery C. xl. woolfels, iii. li. vi. s. viii. d. of euery last of hides and backs, iii. li. xiii. s. iiii. d. and so of all woolls, woolfels, hides and backs after y^e rate. If any marchandize aforesaid, whereof the subsidie is due to the Queenes Maiestie, shall be shipped to the intent to be caried beyond the Seas, or els be brought from thence into any place of this Realme, and

Subsidie of Tonnage and Pondage.

Tonnage 12.

Carried forth or brought in.

A Subsidie of woolls, woolfels, leather.

Marchandize transported & the Subsidie unpaid,

R. i.

there

there layd on land by way of marchandize (the Subsidie due for the same not payde, or the Collector of the same or his Deputie, with the agreement of the Comptroller and Surueyours, or one of them not agreed within the Customs house) the same shall be forfeited to the Q. and to him that will seile or sue for the same. But if any goods, marchandizes, woolls, woolfels, or leather, or any part thereof, of any marchant Denizen naturally borne the Queene's subiect, which shall passe out of this Realme during the time of this graunt, shall happen to be taken with enemies or Pirates vpon the sea, or perished by infortune in any shippe that shalbe taken or perished, whereof the Subsidies due to the Queene shalbe (in forme aforesayd) duely payed or agreed for, and that found and prooued before the Treasourer of England, or the chiefe Baron of the Eschequer by the examination of the marchants if they be alieue, or of their executors or administrators if they be dead, or two credible persons or other reasonable witnesss sworn, then the same marchants Denizens (owners of the same goods perished or lost) if they be alieue, or their executors and administrators if they be dead, and euery of them, when them liketh, shall newly shippe as much other marchandizes &c. in the Port or Ports, in which the other perished were shipped, without any Subsidie to be payed to the Queene. And all profitcs of the premisses so to be lost, shalbe certified by the Treasourer or chiefe Baron into the Chauncery, there to remaine of Record: And after such Certificat, the Chauncelloz or Lord Receiver, shall make vnto the sayd marchants, their executors or administrators, or to their attorney in that behalfe, as many and such writs and Warrants, to be directed as wel to the Collecters of the Subsidy, or any, or euery of them, as to the Treasourer and Barons of the Eschequer shall be thought needefull, for the sayd marchants, their attorneys, or their sayd Collecters or any of them, to haue for the obtaining as well of the shipping, as of the allowance thereof. 1. Eliz. 19.

Denizen ship
ping in a Ca
rick or Galley
shall pay Cu
stome as an
Alien.
Custome of
Sweete wines.

2 Every marchant Denizen that shall shippe any wooll, woolfels, hydes, or other goods and marchandizes in any Caricke or Galley, shal pay the Queene all maner of Customes, and all the foresayd Subsidies, as any Alien borne out of this Realme. 1. Eliz. 19.

3 Like Custome and Subsidie shall be payed for such Sweete wines which come through the Straytes of Harroche, otherwise Hallegay, being brought from the same place, where the Malmesey is, and of the same nature of Grape, as is and hath bene accustomed to bee payd for Malmesseys. 1. Eliz. 11.

The Custome
of coyne trans
ported.

4 The Queene, her heyres and successors, shall receiue by the Customers and Officers of her Portes, for the Custome or Bondage of euery Quarter of Wheate to be transported (by force of the statute made, 13. El.) xii. d. and of euery Quarter of any other Grayne, viii. d. And of euery Quarter of Wheat that shalbe by any speciall license transported (and not by force of the sayd statute) ii. s. and of euery Quarter of other Grayne xvi. d. notwithstanding

standing any wordes that shall be contained in any licenses to the contrary, which sayd severall summes so taken as Custome or Bondage, shall be in full satisfaction of all maner of Custome or Bondage for the sayde Coyne and Grayne, by any constitution, order, statute, lawe, or Custome heretofore made, vled, or taken for transporting of any such maner of Coyne or Grayne 13. Eliz. 13. See Corne. 7.

5 Every subject of the Queenes, that shal transport in any ship, or other vessels, of any of the Queenes subjects with crosse sayles, any Herring, or other sea fish, taken vpon the seas by any of the sayd subjects out of any Port or Harbrough of this Realme, shalbe free from payment of any Custome, Subsidie, or Bondage money for the same Fish. 5. Eliz. 5. 13. Eliz. 11. 27. Eliz. 11. to continue till the end of the next Parliament, S. Ships. 1.

Sea fish transported without Customs.

6 Every person that shal ship, or carry any Leather, Tallow, or Raw hydes, beyond the Sea, (other then Scottish hydes brought to Barwicke out of Scotland, 5. El. 8.) shall pay to the Q. her heires and successors for euery hyde so caried by the name of a Subsidie x.s. For euery dozen of Calues skins, iii. s. iii. d. And for euery C. pound weight of Tallow, vi. s. viii. d. And all Customers, Comptrollers, Farmors, and Superuisors of Customs and Subsidie shall be accomptant to the Q. &c. to pay the sayd Custome and Subsidie for all such goods entred and laden, vpon paine to forf. the treble value, and to make fine and raunfome. 18. El. 8. 3. H. 6. 3.

The subsidie of Leather, calues skins, and Tallow.

7 If any Leather wrought, cut, or unwrought to the intent to be solde or batted, shalbe unlawfully transported or purposed to be transported beyond the Sea out of any Port, Haven, or Creeke of this Realme, or Wales, euery Comptroller, Customer, Surueiour, Collector of Tonnage & Bondage, and Searcher, and the Deputie of any of them, or any other person hearing or knowing of any Leather meant to be transported from any place within his Office, and doe not his best indenuour to seile the same, or being transported doe not disclose or cause to be disclosed the same, within xl. dayes next after knowledge or hearing of the same in some Court of Record, so as the offendour may be punished according to the Lawe, he shal for the first offence forsaite a C. li. and for the second, lose his Office. And euery Customer, Officer, or his Deputie, that shal make any false Certificat of the actual of any Leather in any Port, Creeke, or place of this Realme, shall forsaite for euery offence a C. li. 5. Eliz. 8.

Unlawfull Leather.

8 No English marchant shall pay for the Custome of a sacke of wooll, but vi. s. viii. d. 14. Ed. 3. 21. No marchant Alien or Denizen shall be compelled to pay any Custome for their Canuise or Coyners with which their woolls be packed. 34. Ed. 3. 19.

Customs of wooll.

9 Every Customer or Comptroller shall take sufficient suertie of euery marchant Alien, Atailer, or other Stranger to imploy the money receiued for his marchandize, vpon the commodities of this land, or to put the same money for the marchandize receiued in due payment, (his reason

Suerties of strangers to imploy their money receiued &c.

Customes, Subsidies, Customers, &c.

nable expences deducted) vpon paine of forfaiture of the value of the sayd merchandize to the Q. & J. &c. 3. H. 7. 8. 17. Ed. 4. 1. See Marchants 9.

10 **C**If any marchant Denizen, or Stranger shal sell, or offer to sell any cloth of Gold, Siluer, Bowdkin, Veluet, Damaske, Satten, Tartaron, Chamlet, or other cloth of silke, or any Coise of silke and of gold, or any coise of silke made beyond the sea, before the Collecters of the Subsidie of Tonnage and Bondage, and the comptroller of the same, in the Port where such merchandize is set vpon land, haue surueyed, measured, & sealed euery piece thereof, in the one end with the Seale ordeined for the same, he shal forf. the same or the value thereof. 12. Ed. 4. 3. And if any Collector, Comptroller, or any of their Clerks do take any thing for sealing any of þ foresayd pieces, he shal forf. for euery time xx.li. And if any of them doe vreasonably delay any marchant about the Sealing of such merchandize, he shal forf. for euery offence xl.s. to the Q. and P. griued, to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 4. H. 8. 6.

Silke shall be surueyed and measured by the Customer.

The Officers shall take no reward nor delay the marchant.

Aliens made Denizens.

Englishmen subject to other Princes.

11 **C**Any person made or to be made Denizen shal pay for his merchandize like Custome & Subsidie inward and outward, as he should haue payd before he was Denizen. 1. H. 7. 2. 11. H. 7. 4. 22. H. 8. 8.

12 **C**Euery subiect boine in England, and swome to be subiect to a foireine Prince, so long as he shall abide and be subiect to a foireine Prince, shal pay such Customes, Subsidies, tolles and other impositions within this Realme, as other Strangers of those partes where the sayd English man maketh his habitation, vse to pay. But if after any such person do returne into the Realme here to inhabit, then he shalbe restozed to such libertie, in paying of Customes and other charges, as other Englishmen vse to pay, and haue writ out of the Chauncerie for the same. 14. H. 8. 4.

Goods brought into one port & then remoued to another.

13 **C**Euery marchant which shall bring any goods into any Port in this Realme, and there doeth enter the same in the Customers Bookes, and pay vnto him the Queenes duetie, and will after cary the same goods from thence, into any other Port within this Realme, shall bring from the Customers of the Port where the goods were entred, a certificat vnder their Seales directed vnto the Customers of the Port whereto the goods shall be conueyed, making mention therein of the colour, length, weight, content and value of all the goods so entred, and the Customer, or Officer to whom such certificat shall come, shall take nothing for the sight of the same goods. And if any of the sayd goods shall be discharged, unpacked or put to sale within any Port (other then the same where they shall be first entred) before the said certificat be deliuered, and the same goods seene, then they shalbe forf. to the Queene and him that wil proue such forfaiture. 3. H. 7. 7. 3.

Certificat entered into the Customers Bookes.

14 **C**If a Certificat be made by the Customer of any Port whereunto such merchandizes shalbe first brought, and there in their Bookes entred, not making mention as is aforesaid, the Customer shal lose his Office, and make fine to the Queene at her pleasure. 3. H. 7. 7. The Custome and subsidie of all

woollen

woollen clothes to be shipped and caried over the Sea (wherefore they be packed) shall be payed to the Customers of the Port where any such clothes shalbe laden or shipped, or to their Deputies. 11. H. 7. 6.

Woolle clothes packed in one port & shipped in another.

15. ¶ Every Customer or Comptroller which wil not write, and deliver sufficient Warrantes sealed with the seale of their Office, to any marchant shewing and truly Customing his marchandizes in the discharge of the same (without any thing receaving therfore) but onely the due Customs, shal forf. for every offence to the Q. 2. li. and to the marchant grieved v. li. for the which the sayd marchant shall have an action. 11. H. 6. 15.

Warrantes of discharge to marchant passing the due customs.

16. ¶ No person, Denizen or Stranger, shal enter into the bookes of any Customer, or other Officer of any Port or Haven, or his Deputie or servant any goods, wares, or marchandizes whatsoever brought into the Queenes Dominions, or to be transported forth of the same, in the name of any other person then the very true owner of the same goods, being not sold or bargained for, by any person before such entrie, or before the arrivall of such goods or marchandizes into the partes beyond the sea, upon paine of forf. of the value of the goods so entered. 1. El. 1. 1. H. 8. 5. 14. Ed. 3. 21. And whosoever doeth Cocket woolls but in the name of him whose y woolls be, shall forf. them. 13. R. 2. 9. 29.

No man shall enter goods in another mans name.

17. ¶ If any marchant Stranger, Denizen, or other the Queenes subject, shal Customs any goods or marchandizes of any other, whereby the Q. shall lose her Customs, Subsidie, or other right, or duetie, he shal forf. all his goods and cattels personals for ever, to the Q. and J. that will sue within three peeres, to be recovered by A. J. &c. wherein no W. &c. E. 13. 3. H. 7. 7. 1. H. 8. 5. 2. Ed. 6. 22.

Cocketing woolls.

Customing of others goods whereby the Queene loseth her duetie.

18. ¶ If any person inheriting in the cinque Ports, or other being free of passage or buclage of wines by graunt, Customs, or other title, doe Customs the wines of any other person being free, hee shal forf. all his goods and cattels personals to the Q. and J. that will sue within three peeres, to be recovered by A. J. wherein no W. &c. E. 13. 3. 1. H. 8. 5. 2. Ed. 6. 22.

Customs of wines.

19. ¶ If any Customer, Comptroller, or his Deputie wil suffer by connivance or other undue meanes, any person after that his Brasse, Latten, Copper, Pettal &c. is shipped or caried, contrary to the meaning of the Statute in that case provided, or make an obligation without date for the discharge and certificat of his Pettal, then he shal lose his Office, and the value of the Pettal. And if any Customer or Searcher doe willingly suffer any of the Pettals aforesayd to be shipped contrary to the meaning of the sayd Act, or els having knowledge that it is secretly shipped, or caried, do not seile the same to the Queenes use, then he shal lose his Office, and the value of the sayd Pettal. 13. H. 8. 7. 2. Ed. 6. 37. See Brasse 3.

Brasse, pettal removed from one Port to another.

20. ¶ If a common Officer, in any Citie, Borough or Colone, or his de- putie doe take upon him to be Customer, Comptroller or Searcher in any Port in the same Citie, Borough or Colone, he shal forf. for every halfe pere that

Common officer of a colone shalbe no Officer in the Customs there,

20 Customes, Subsidies, Customers, &c.

Whosoever shall
be a Customer
shall have a
ship, or mar-
chandize, keepe
a warehouse, an
Inne, or be
a Factor.

That he do completely both the sayd Offices x. li. to the Q. & J. &c. 3. H. 7. 7.
21 **I**f any Customer, Comptroller of the Custome, Clerke, Deputie,
minister, servant, Factor, or Searcher, Comptroller or Surueior of Sea-
thes, or any of their Clerks, deputies, ministers, or factors shal haue any ship
of his owne (1. 4. R. 2. 16.) or shal buy or sel by way of colour of marchandize,
or meddle with the fraighting of ships, or haue or occupie any Wharfs or
Keyes, or keepe any Inne or Tauerne, (1. 1. H. 4. 2.) or shalbe Factor or At-
turney for any marchant Denizen or Alien, or shalbe hoste to any marchant
stranger, he shal forf. for euery such offence x. li. to the Q. & J. &c. 20. H. 6. 5.

Customer con-
cealing the
Queenes Cu-
stome.

22 **I**f any Customer, Collector, or Comptroller of the Queenes Cu-
stomes, of Cockets, of Clothes, Subsidies, Tunnage or Bondage in any
place of this Realme, doe falsly conceale the Queenes Custome or Subsi-
die duely entered and payed by any marchant, and be thereof duely attainted
or committed at the Queenes suit, he shal forfate the treble value of the mar-
chandize so duely Customed, and also pay a fine. 3. H. 6. 3. And euery Cu-
stomer vpon the perding of his accompt in the Exchequer shalbe sworne to
answer to the Queene all profits without fraude. 4. H. 4. 20.

The Cust-
mer sworne.

Whiche Cust-
mers may
make deputies
and which not.

23 **T**he Customers and Comptrollers in euery Port of England shal
abide vpon their Offices in their proper persons, without making any De-
putie or Lieutenant in their names. 1. H. 4. 14. And thereunto they shal be
sworne, and he which doth the contrary shal forf. C. li. and be imprisoned, and
the like summe shal a Searcher, and the Lieutenant of the Queenes chiefe
Butler forf. if he doe not abide vpon his Office, or doe make Deputie. 4. H.
4. 20. But the Customer of Lynne shal haue a seruant or Deputie, continu-
ally resident at the Citie of Porke: And euery other Customer, Comptrol-
ler, and Searcher of euery Port shal assigne to and in euery of the Portes of
London, Southampton, Bristol, Westchester, Newcastle, and the suburbs
of the same, and in euery Port, Creeke or Rode (where the seruant of any of
them haue bene continually resident by the space of ten yeres, or hereafter
shalbe) one able and sufficient Deputie or seruant at the least. 1. El. 11.

A Customer
shall continue
vpon his office,
if he will.

24 **I**f a Customer, Comptroller, Sager of wines or Searcher, be ab-
sent from his Office by the space of thre weekes, he shal lose his Office, ex-
cept he be commanded to be in some of the Queenes Courtes of Record, or o-
therwise in the Queenes seruice of Record. 1. H. 4. 13. 4. H. 4. 20. 13. H. 4. 3.

Officers of the
Custome shall
be attendant.

25 **A**nd euery Customer, Comptroller, and Searcher, as euery of
their Deputies and seruants, shal from time to time doe their diligent atten-
dance at the houses, times and places (appointed by the statute made 1. El.
for laying on land marchandizes) in the Custome house and els where, as it
shalbe most conuenient for the speedy dispatch of the marchant, his wares
and marchandize, and for the due execution of the foresayd Act, in such things
as to him shal apperteyne, without concealement or consenting to any thing,
which may be to the damage of the Queene, her heyres or successors, in the
full answering of her Customes and Subsidies, vpon paine that euery such
Customer

Customer, Comptroller, and Searcher shal for, for every offence his Office, and a C.li. to the D. & T. wherein no W. re. C. P. J. re. And if any Officer pertaining to the Subsidie of Custome, doe knowe any offence committed contrary to any article of the sayd Stat. and doe not disclose it within one moneth, to the chiefe Officer of the same Port, or to the Lord Chancellor, Treasourer, Barons of the Eschequer, or Atturney general &c. he shal for, a C.li. 1. Eliz. 1. r. See Marchants. 5.

1 That no Brasse, Copper, Mettall, &c. shall be shipped but out of a Port where there is a Customer. S. Brasse. 5.

2 What bonds, and vpon what paine a Customer shall take for the carying of Brasse or other Metal from one Port of this Realme to another. See Brasse. 3.

3 That Masters of Ships shall declare vnto the Customers when they goe forth, and when they returne. S. Marchants. 7. 8.

4 For the Customers duetie in receiuing and selling of Hats brought from any partes beyond the Sea, and the owners in paying of Custome. See Hats. 8. 9. 10. 11.

5 What Custome Aliens shall pay for salted Fish and salted Herrings brought into this Realme. S. Fish. 19.

Damages.

Where any person shall sue forth or procure to be sued forth of the Kings Bench any (Latitat, Alias, or pluries Capias) against any person which vpon the same shalbe arrested, or appeare vpon the returne of any the sayd writtes or proces, and shall put in his bayle to answer such as shall be objected against him, then if the partie at whose procurement the same writ. or proces was obtained, doe not within thre dayes next after such bayle taken, put into the same Court his Declaration against the same partie against whom such writ. or proces shalbe sued, or if after Declaration had, the pl. shall not prosecute the same with effect, but shall willingly and apparantly to the same Court suffer his suit to be delayed, or shall after declaration suffer the same suit to be discontinued, or shall be nonsuit in the same, then the Judges of the sayd Court shall by their discretions; as they shall perceiue any such default to be in the partie, at whose procurement such writs or proces was sued forth, awarde to every such person so arrested or troubled by such writs or suit, his cost, and damages, and charges by any meanes sustained, or occasion of any such writs, proces, arrestes or suites to be payed by such person, that so shall cause any such writtes or proces to be sued forth. 8. Eliz. 2. c. 11. r. 1. See also 1. Eliz. 2. c. 11. r. 1. 2. Eliz. 2. c. 11. r. 1.

2 If any person shall cause any other person to be attached or arrested to answer to any bill, plaint, action or suit in the Court of the Marshalsey, or in any Court within London, or in any Citie, Borough, Towne corporate, or other place, where any privilege is vled to holde plea in any action

Damages where the pl. doth delay his suit, doth discontinue, or is nonsuit.

1. Eliz. 2. c. 11. r. 1. 2. Eliz. 2. c. 11. r. 1.

Suits in the Marshalsey, and in corporate Townes.

tion personall, and do not in all Courts (having their continuance de die in diem) within three dayes next after the defendant shalbe bailed, or ocherwise appeare in Court by force of any arrest or attachment had and returned, and in all other Courts at the next Sessions of Court to be holden after such arrest or attachments and apparance of the def. whereas the sayd def. ought to appeare (unless a further day shalbe especially given by the discretion of the Court from whence any precept, proces or attachment shalbe awarded) exhibit his bill or declaration against such person as so by his meanes shall be attached or arrested, into such Court where the partie ought to appeare, or if any such person at whose suite any such attachment or arrest of any person shall be so made, after his declaration, bill, or plaint exhibited, doe not from thenceforth prosecute the same his suite with effect, or shall suffer the same to be discontinued, or shall after he non suit in the same, or willingly and apparantly to the same Court, shal for vexation of the def. delay the same suite, then the Judge or Judges of every such Court, shal forthwith by his or their discretion, as he or they shall perceiue any such default or delay in the partie that procured any attachment or arrest to be had, award to every such person, which shalbe so attached or troubled, his costes, damages, and charges by any meanes sustained, by occasion of any such attachment, arrest, and suit so had against him, to be payed by such person that so shall cause any such attachment, or arrest to be so made. 8. Eliz. 2.

Arresting of a
ny person at
another's suit,
not knowing
thereof.

3. **C** If any person shall by any meane maliciously, or for vexation procure any other person to be arrested or attached, to answer in any the Courts or places aforesayd, at the suite or in the name of any person, where in deed there is no such person known, or without the consent of such person as whose suit, or in whose name such arrest or attachment shall be so had, then every person that shall so procure any such arrest or attachment, and shall thereof be convicted, or lawfully accused by indictment, presentment, or by the testimony of two sufficient witnesses or more, or other due proove, shall for every such offence by him committed or procured, suffer imprisonment six moneths without baile or mainprize, and before hee shall be delivered out of the prison, shall pay unto the partie so arrested or attached by his meanes treble the costes, charges, damages and expences, that he shall be put unto by reason of such attachment so had, and shall also pay unto such person in whose name or at whose suit he shall so procure such arrest or attachment to be made (if then there shalbe any such person known) x. li. for every such offence. 8. Eliz. 2.

Remedy for
p. forfeitures
aforesayd.

As in action
of debt
2. In action
of debt

4. **E**very person to whom any cosse, charges, damages, forfeiture, or payment of any money, by this Act shalbe awarded, or forfeited, may and all shal have his remedy for the recovery thereof by A. of debt, bill, or plaint, in any Court of Record, against such person, his heyres, executors or administrators, as ought to pay the same, by force of this Act, wherein no
W. C. P. 8. Eliz. 2.

1013

1014

5. **C** If

30. **I**f any defendant or tenant, against whom judgement to recouer is given, or if any other that shall be bound by the said judgement, sue before execution had, any writ of Error, to reverse any such judgement in delaying of execution, then if the said judgement be affirmed good in the said writ of Error, and not erroneous, or that the said writte of Error be discontinued in the default of the partie, or that the person that sueth such writte of Error be nonsued in the same, then the said person against whom the said writ of Error is sued, shall recouer his costes and damages for his delay and wrongful vexation in the same, by discretion of the Justice before whom the said writ of Error is sued, 3. H. 7. 10. 19. H. 7. 20.

Damages in a writ of Error sued before execution.

6 **I**f any person do commence, or sue in any Court of record, or in any other Court, any action, bill, or plaint of trespass upon the statute of 5. Rich. 2. 7. for curries into landes and tenements where no entrie is given by the lawe, or any action &c. of debt, or covenant, upon any specialtie made to the plaintiffe, or upon any contract supposed to be made betweene the plaintiffe and any person, or any action &c. of Detinue of any goods or cattels, where of the plaintiffe shall suppose that the propertie belongeth to him, or any action &c. of accompt, in which the plaintiffe suppose the defendant to be his bailife or receiuer of his manor, money, goods &c. to yeeld accompt, or any action &c. upon the case, or upon any statute for any offence, or wrong personall immediatly supposed to be done to the plaintiffe, and the plaintiffe in any such action, bill, or plaint after apparance of the defendant be non sued, or any verdict happen to passe by lawfull trial against the plaintiffe, in any such action, bill, or plaint, Then the def. in every such action &c. shall haue judgement to recouer his costes against every such plaintiffe. And that shall be assessed by the discretion of the Judge or Judges of the court where any such action, bill, or plaint shall be commenced, sued, or taken. And also every def. in such action, bill, or plaint, shall haue such proces, and execution for the recovery of his costes against the same plaintiffe, as the same plaintiffe should or might haue had against the def. in case that the judgement had bene given therein for the plaintiffe, 2. H. 8. 15.

The def. shall recouer his costes in these actions, if the pl. be nonsued, or the verdict passe against him.

7 **B**ut all and every such poore persons, being plaintiffes in any of the said actions, bills, or plaints, which at the commencement of their suites, or actions be admitted by the discretion of the Judge or Judges where such suites shall be pursued or taken, to haue their proces and counsaile of charitie, without any money paying for the same, shall not be compelled to pay any costes by this statute, but shall suffer other punishment, as by the discretion of the Justices or Judge before whom such suites shall depend, shall be thought reasonable, 23. H. 8. 15.

He that is allowed in Forre pauperis, shall not pay costes, but be otherwise punished.

8 **E**very and want, and every other person and persons, that make any Audoyie, Justification, or Cognisance, as Bayly or seruaut to any person or persons in any replegiarie, or second deliuerance, for rents, customes, seruices, or for dammage lesant or other rents, upon any distresse taken in

Who want shall recouer costes and damages against the pl.

any

Damages.

Actions sued
to the Queen
viz.

The informer
shall pay costs
and damages.

The alienor of
the disseisor
charged with
damages.

Entre sur dis-
seisin.

Mortdauce-
ster, Cofinage,
Aiel, Belsiel.
Where dama-
ges shall be re-
couered, there
costes shall be
also.

Reconuerie vpon
his owne
intursion.

The Queene
shall recouer
costes and da-
mages.

Ind. inuolunt.
exco. inuolunt.
exco. inuolunt.

any lands or tenements, if the same auowrie, conuance, or iustification be for them, or the plaintifes in the same be non suit, or other wise barred, then they shall recouer their damages and costes against the said plaintifes, as the same plaintifes should haue done, if they had recouered in the replegiarie or second deliuerance found against the said defendants. 7. Hen. 8. 4. 21. Hen. 8. 19. S. Auowrie 2.

9. **C** Albeit the plaintife shall be non sued in any whatsoeuer action, suit, bill, or plaint commenced or sued to the use of the Queene, her heires or successors, kings of England, or that it shall happen any verdict to passe against any such plaintife in any such action &c. the defendant shall not recouer any costes against any such plaintife, 24. Hen. 8. 8.

10. **C** If any Informer, or pl. vpon any penall statutes shall willingly delay his suit, or shall discontinue, or be non suit in the same, or shall haue the triall or matter passe against him therein by verdict, or iudgement of lawe, in euery such case he shall pay vnto the def. his costes, charges and damages to be assigned by the court, in which the same suit shall be attempted, for the recouery and execution whereof, the def. shall immediately vpon the same costes, charges, and damages assigned, haue his Capias ad satis faciend. Fieri facias or Elegit, to be awarded vnto him out of the same Court in which the same shall be so assigned, 18. El. 5. 27. El. 10. S. Action popular 4.

11. **C** If disseisors doe alien their lands, and haue not whereof damages may be leuied, they to whose hands such tenements shall come, shall be charged with the damages, so that euery one of them shall be charged with damages for his time. And the disseisee shall recouer damages in a writ of entry vpon disseisin, against him which is found tenant after the disseisor, Gloucester 6. Edm. 1. 1.

12. **C** Damages shall be awarded where a man recouereth by Assise of Mortdaucester, Cofinage, Aiel and Belsiel, Gloucester 6. Ed. 1. 1.

13. **C** In all cases where the demandant shall recouer damages (being the value of the issues of the land) there he shall also recouer against the tenant, the costes of his writ purchased, with the said damages, Gloucester 6. Edm. 1. 1.

14. **C** Every man shall be compelled to render damages, where reconuerie is had against him vpon his owne intursion or Act, which damages shall runne after the writ purchased against him, though his auncelour died seized thereof, 6. Edm. 1. 1.

15. **C** The Queene in all suites to be taken, vpon any specialtie made to her grace, or any to her use, shall recouer her iust costes & damages as other common persons vse to doe, in suites for their debts, 13. H. 8. 39.

1. That a woman shall recouer damages in a writ of dower, from the death of her husbands, S. Dower 1.

2. Where treble damages shall be recouered vpon assise of common of pasture, S. Approuements 5.

Demurrer.

After Demurrer toynd and entred in action of suite, in any Court of Record within this Realme, the Judges shal proceede and giue iudgement, according as the very right and cause of the matter in lawe shall appeare vnto them, without regarding any Imperfection, defect or want of forme, in any writ, returne, plaint, declaration, or other pleading, proces, or course of proceeding whatsoeuer: Except those onely which the partie demurring shal specially and particularly set downe and expresse together with his demurrer. And no iudgement to be giuen, shal be reuersed by any writ of Error, for any such imperfection, defect or want of forme, as is aforesaid, except such onely as is before excepted, 27. Eliz. 5.

After demurrer, iudgement shalbe giuen, notwithstanding any defect in proces or pleading.

After Demurres toynd and entred, the court where the same shal be, shal & may, from time to time amend all and euery such imperfections, defects and wantes of forme as is before mencioned, other then those onely, which the partie demurring shal specially and particularly expresse and set downe together with his demurrer, as is aforesaid, 28. Eliz. 5.

The court may amend defects of forme after Demurrers toynd.

This act or any thing therein contained, shal not extend to any writ, declaration, or suite of appeale of felony or murder, nor to any indictment or presentment of felony, murder, treason, or other matter, nor to any proces vpon any of them, nor to any writte, bill, action, or information, vpon any popular or penall statute: any thing aforesaid to the contrary, notwithstanding, 27. Eliz. 5.

Appeale, indictment, and presentment of felony, murder, treason. Information vpon penall statute.

Dilapidations.

If any Archbishop, Bishop, Deane, Archdeacon, Prior, Treasurer, Chauncer, Chauncelor, Prebendary, or any other hauing any dignitie or office in any Cathedral or Collegiate Church within this Realme, or any Parson, Vicar, or other incumbente of any ecclesiastical living, wherunto do belong any houses or buildings, which by lawe or custome hee is bound to maintaine in reparation, do suffer any of his said houses or buildings to fall downe, or runne in decay, and after doe make any deede or gift, alienation, or other conueiance of his inuoluable goods or cattels in his life time, to the intent after his death to defeate his successours of such iust actions and remedies as otherwise they might haue had for the same, against their executors, or the administrators of their goods, then the successours of him which shall make such deede &c. shal and may commence suit, and haue such remedie in any Court Ecclesiasticall within this Realme, competent for the matter against him or them, to whom such deede or gift, or alienation shalbe so made, for the attending and reparation of such Dilapidations, or iust recompence for the same, as hath happened by his fact or default, in such sort as he might, should, or ought lawfully to haue, if he or they to whom such deede or gift were made, were executor of him that made such deede &c. or administrator of his good &c. 13. Eliz. 10.

Frantulent deedes to defeat the successours of their remedie for dilapidations.

Who soeuer doth recouer any summes of money, for or in the name of Dilapidations, by sentence, composition, or otherwise, & doth not within

money recovered for dilapidations, shal be imployed in reparations

Disceipt. Discontinuance of proces.

two peeres after the receipt thereof truly employ the same upon the baildings and reparations, in respect whereof such money or Delapidations shall be paid, shall forfeit double so much to the Queene, as shall be received and not employed, 14. Eliz. 1.

Disceipt.

If any Seriant, pleader or other, doe any deceipt in the Queenes Court, for doe consent therunto, to deceine the Court or party, and is therof attainted, he shalbe imprisoned a peere and a day, and being a Councellour, shall not any more be received to plead in the Queenes Court for any man. And if he be any other then a pleader, he shalbe imprisoned as aforesaid. And if the trespass require a greater punishment, it shalbe at the Queenes pleasure, 22. Eliz. 1. 3. Ed. 1. 29.

2 A writ of deceipt holdeth place, and is maintainable as wel in place of garnishment which toucheth plea of land where such garnishment is given, as in case of summons of plea in land, 2. Ed. 3. 17. Northampton.

Discontinuance of proces.

Death of the King shall not discontinue any suit.

By the death, or demise of the Queenes Maestie that now is, or of any that hereafter shalbe King or Queene of this Realme, any action, suit, bill, or plaint, that shall depend betwene partie and partie in any of the Queenes Courts, and other Courts of Record, shall not in any wise be discontinued, or put without day. But the Proces, Pleas, Depurres, and continuances in euery action, actions, suites, bills, or plaintes, which shall depend, shall stand good, and be prosecuted, and sued forth, in such maner and forme, and in the same estate, condition and order, as if the same King or Queene had liued. And all manner of iudiciall Proses, that shalbe pursued in the time of the reign of any other King or Queene, then reigned at the time of the pursuit of the originall, or other former Proces, shall be made in the name of the King or Queene, that for the time shall reigne and be King or Queene &c. And variance touching the same Proces, betwene the names of the Kings or Queenes shall not be material, as concerning any default to be objected therfore, 1. Ed. 6. 7.

Death, newe commission or association of Justices maketh no discontinuance.

2 Every assise of Nouel disseisin, assise of Mortdanceter, Iuris retrum, and Attaint, which shall be arraigned, commenced or sued before any Iustices of Assise, shall not be discontinued, or put without day, by reason of death, newe commission, association, or not comming of the same Iustices, or any of them, but shall stand good in the law, to all intents, the death, newe commission, association, or not comming of the same Iustices or any of them in any wise notwithstanding, 1. Ed. 6. 7.

No preferment of the plaintiffe to a name of dignitie shall abate his suit.

3 Albeit any demandant, or plaintiffe in any action, bill, or suit, shall be made Duke, Archbisshop, Marques, Earle, Viscount, Baron, Bisshop, Knight Justice of the one Bench or of the other, or Seriant at law, depending the same action &c. yet no writ, action or suit, shall for such cause, be abatable or abated, but shall remaine in like force, as the same was before, 1. Ed. 6. 7.

4 Albeit

4 **¶** Albeit any person being Justice of Assise, Justice of Gaole deliuerie, or Justice of peace, within any the Queenes dominions, or being in any other of the Queenes commissions whatsoever, shalbe made Duke, Archbishop, Marques, Earle, Viscount, Baron, Bishop, Knight, Justice of the one Bench, or of the other, or Seriant at lawe, or Sherife, yet he shall remaine Justice and Commissioner, and haue full power to execute the same in like maner as he might or ought to haue done before the same, 2. Edw. 6. 7. But no person exercising the office of the Sherife of any Countie, shall exercise the office of a Justice of the peace by force of any Commission or otherwise, in any Countie where he shalbe Sherife, during the time onely, that he shall exercise the said office of Sherifwicke, 1. H. 8.

Every one shall remaine Justice and Commissioner, though he be preferred to some dignitie.

No Sherife shall be Justice of peace.

5 **¶** In all cases, where any person shall be found guiltie of any Treason, Murder, Manslaughter, Rape or other felony whatsoever, for the which iudgement of death should or may ensue, and shalbe reppied to prison without iudgement at that time giuen against him, Those persons that at any time shall by the Queenes letters patents be assigned Justices to deliuer the Gaole where any such person found guiltie shall remaine, shall haue full power to giue iudgement of death against such person so found guiltie and reppied, as the same Justices (before whom such person was found guiltie) might haue done, if their Commission of Gaole deliuerie had remained in full force, 1. Ed. 6. 7.

New Justices may giue iudgement of a prisoner found guiltie and reppied.

6 **¶** No proces or sute made, sued or had before any Justices of Assise, Gaole deliuerie, Oyer, & Terminer, Justice of Peace, or other of y^e Queenes Commissioners, shall be discontinued by the making and publishing of any newe Commission or association, or by altering of the names of the Justices of Assise, Gaole deliuerie, Oyer and Terminer, Justices of Peace, or other the Queenes Commissioners, but the newe Justices, and other Commissioners may proceede in euery behalfe, as if the old Commissions and Justices and Commissioners had still remained not altered, 1. Ed. 6. 7. 11. Hen. 6. 6. S. Justices of peace 106.

No suit before Justices shall be discontinued by a newe commission.

Dispensations.

Whosoeuer doth exact, or receiue of any Suiter more for any dispensation, facultie or licence, then is contained in the duplicat bookes of Taxes, wherein is written the taxes of all customable dispensations, faculties, licences, and other writings, wone to be speede at Rome, (one of which bookes doe remaine in the hands of the clerke of the faculties, and the other in the hands of the clerke of the Chaucerie, appointed for writing of licences, dispensations &c.) shall forfeit ten times so much as he shall so exact and receiue, to the Queene, and T. to be recovered by A. B. P. &c. wherein no W. &c. C. P. &c. 25. H. 8. 21. 1. Eliz. 1.

Exactng for dispensation.

Whosoeuer shal bryue any Distresse out of the hundred, Rape, Tithing, or Lath, where it is taken, (except it be to a pound ouert wit hū it was taken.

No distresse shalbe bryuen out of the hundred where it was taken.

within the same Shire, being not above three miles distant from the place where it is taken) or shall impound in severall places, goods distrained for any cause at one time, whereby the owner shall be constrained to sue severall replevies for the deliverie of the same distresse, shall forfeit to the P. grievous for every such offence fine pound, and treble damages, 1. and 2. P. & D. 12. No man shall cause a distresse to be given forth of the Countie wherein it was taken, Marl. 52. P. 3. 4. West. 1. 16.

No distresse
shalt be imposi-
ded in severall
places.

Poundage
money.

2. C. Whosoever doth take for keeping in pound, poundage, or the impounding of any whole distresse, above foure pence, or doth take so much, where lesse hath usually bene taken, shall forfeit to the P. grievous v. li. and so much as he taketh over the said vii. d. &c. 1. & 2. P. & D. 12.

In what plas-
ces distresse
shall not be
taken.

3. C. No man shall for any cause distraine out of his fee, in the Queenes high way, or common streete, but the Q. and her officers, Marl. 52. P. 3. 15. West. 2. 13. Ed. 1. 16. Neither shall any man distraine in the auncient fees of the Church: but in such possessions as Ecclesiasticall persons have purchased of late, distresses may be taken, Articuli cleri. 9. Ed. 2. 9.

A distresse im-
pounded in a
Castle.

4. C. If any man distraine another mans cattell, and give them into a Castle, or Fortresse, and there hold them (being solemnly demanded by the Sherife or Bailife) against gages and pledges, so that the Sherife or Bailife cannot make deliverance of them to the owner, the Sherife or Bailife taking with him the power of the Countie, shall beat downe the Castel, and the plaintife shall recover double damages for all the losse which he hath received by his cattell, hinderance of his gavnage, or in other maner) after the first demand of the cattell made by the Sherife or Bailife) against him that tooke the cattell, or against his lord, if he be not able to answer them, West. 2. 3. Ed. 1. 17.

Damages for
a wrongfull
distresse.

5. C. If any person take a distresse of his owne authoritie, without a ward of the Queenes court, and thereof be convicted, or if one neighbour take a distresse of another (whereby he hath received losse) without a ward of the Queenes court, he shall make fine according to the quantitie of the trespass, and neverthelesse sufficient amends shall be made to them which have received losse by such distresse, Marl. 52. P. 3. 1.

None but the
lord shall be
distrained to
come to a
court.

6. C. None shall distraine any to come to his court, which is not of his fee, or upon whom he hath not iurisdiction by reason of his Hundred or Bailiwicke, neither shall any man take a distresse without his fee, or the place where he hath iurisdiction, or bailiwicke, upon paine to make fine according to the quantitie of the offence, Marl. 52. P. 3. 2. Neither shall any man distraine his freeholder to answer for his freehold, or any thing thereunto belonging without the Queenes writ, Marl. 52. P. 3. 22.

The lord shall
not make fine
for distraining
his tenant.

7. C. If any distraine his tenant for services and customes, which he claimeth to be due unto him, or for any other thing, for the which the lord of the fee hath cause to distraine, and after it is found that the tenant doth not owe him any such, the lord shall not therefore make fine, if he do suffer the distresse to

to be deliuered according to the law and custome of the Realme, but shall be amerced, and the tenant shall recouer his damages against him, Marlb. 52. Hen. 3. 13.

8. Distresse shall be reasonable according to the quantitie of the debt or damages, and not grieuous; and he that taketh unreasonable and excessive distresses, shall be amerced, 51. H. 3. Marlb. 52. H. 3. 4. 28. Ed. 1. 12. See Accomptants to the Queene. 45.

Excessive distresse.

9. No distresse shall be made, but by Bailifes which be known and sworn, and they which doe otherwise, and thereof be convicted, shall answer to the parties grieved their damages, if they thereof doe bring their action of trespassse, and also shall be grieuously punished by the Queene, Westminster 2. 13. Ed. 1. 37.

Distresse by Bailifes known & sworn.

10. If the Sherife, or any other doe distraine another mans beastes, they whose the Cattell be, may giue them meate of their owne, without disturbance, or paying any thing therefore, whiles they doe remaine in the pound, 51. H. 3. de distric. scaccarij.

The owner may feede his cattell which be impounded.

11. No man shall be distrained by his beastes which till his land, nor by his sheepe, for the Queenes, or any other persons debt, so long as one may find anothers distresse or other Cattels sufficient, whereof to leup the debt or thing in demaund, except it be the impounding of beastes which a man findeth doing hurt, according to the custome of the Realme, 51. Hen. 3. de distr. scacc. 27. Ed. 1. 12.

Plough cattell and sheepe shall not be distrained, if &c.

12. No Cattell nor other distresse taken for the Queenes debt, nor for any other thing, shall be sold or giuen within fifteene dayes after the taking thereof, 51. H. 3. de distric. scaccarij. But Collectors appointed for the gathering of money towards the repaire of any decayed Bridge, haue power to distraine any person which shall be taxed, and refuse to pay towards the same, and to sell the distresse, 22. Hen. 8. 5. And the Churchwardens of euery Parish may distraine the goods of any Parishioner, which is assessed to pay any money towards the destruction of Crowses, & other Vermin, and doth deny or doth not pay the same, and the same distresse shall vse in such maner and fourme, as distresses taken for amerciaments in leetes, 8. Eliz. 1. 5. And euery Receiuer, Bailife, and Collector of the Queenes lands &c. for lacke of payment of the rents, issues and renewes within their offices, may distraine and sell the distresse, 7. Edw. 6. 1. And Collectours appointed for the gathering of money taxed in severall Shires, towards the making of a Gaole in the same Shire, may distraine any person taxed, refusing to pay, and after tenne dayes sell the distresse, 23. H. 8. 2. 13. El. 25. And the Surueiours of wayes in euery Parish may leup the forfeitures by distresse, and sell the distresse, 18. El. 9. And the Collectors for the poore may seile and sel the goods of him which bringeth into England or Wales any Vagabond or begger out of Ireland, or the Ile of man, for xx. s. which he hath forfeited for the said offence, to the vse of the poore of the Parish, where any of the

Selling of distresse.

And the Surueiours of wayes in euery Parish may leup the forfeitures by distresse, and sell the distresse, 18. El. 9.

Distresse. Dowry.

said persons were set on land, 14. Eliz. 5. And all forfeitures made by reason of the statute provided 18. Eliz. for the setting of the poore on worke, and for the auoyding of idlenesse, shall be leuied by distresse, and sale of the offenders goods, to the value forfeited, 18. Eliz. 3. And it shall be lawfull for the Constables and headboroughs of any Towne, Parish, Village, or Hamlet, to distreine the goods of any inhabitant, which obstinately refuse to pay such ratable taxation and assessement which shall be made vpon him for his part and portion of money recovered against the Hundred vpon the statute of buy and crye, and to sell the distresse, 27. Eliz. 13.

1 That euery Sherife shall appoint foure deputies to make repleuies, and deliuer distresses; S. Sherifes 22.

2 Where a man shall distreine out of his fee, for arrearages of rents, See Rents 1. 2. 3.

3 That euery Receiuer, Collector and Bailife of the Queenes lands may distreine for default of paiement, S. Accompt.

Dowry.

A woman shall haue her Marriage rentine.

A Widow after the death of her husband, incontinent shall haue her marriage and inheritance, and shall giue nothing for her dowry, her marriage or her inheritance, which inheritance her husband and she held the day of his death. And she shall tary in the chiefe house of her husband fourtie dayes after his death, within which dayes her dowry shall be assigned her, (if it were not assigned her before) or that the house be a Castell, and if she depart from the Castell, then a competent house shall be forthwith provided for her, in the which she may honestly dwell, vntil her dowry be to her assigned, and she shall haue in the meane time her reasonable estouer of the common, and for her dowry shall be assigned the third part of all the lands which were her husbands in his life time, except she were endowed of lesse at the Church doore. Magna Charta. 9. Hen. 3. 7. And if any doe deforce from a widowe her dowry, or Quarantine of the tenements whereof her husband died seised, and after the same widowe doeth by suit recouer the same, the deforceor shall yeeld to the same widowe her dammages, viz. the value of her whole dowry from the time of her husbands death, vnto the day of her recovery by iudgement, and also the deforceor shall be amerced, Merit. 20. H. 3. 1.

Elopement is an adulterer is cause of forf. of dowry.

2 **I**f a wife doe willingly forsake her husband, and goe away, and continue with her adulterer, she shall lose for euer her action to demaund her dowry, which she ought to haue of her husbands landes, if she be thereof convicted, (except her husband will vpon his owne good will, and without compulsion by Ecclesiasticall lawe reconcile her, and suffer her to dwell with him) in which case her action shall be restored againe vnto her, Westminster 2. 13. Edward 1. 34.

The wife endowed, though her husband be attainted,

3 **A**lbeit any person shall be attainted, convicted or outlawed of any misprision of treason, murder, or felony whatsoever, yet euery woman that shall be

shalbe wife of the person so attainted shall be endowable, and enabled to demand and enjoy her dower, in like maner as though her husband had not bene attainted, convicted, or outlawed, 1. Ed. 6. *But the wife whose husband shalbe attainted of any treasons whatsoever they be, shall in no wise be receiued to demand or haue dower of any the lands, tenements or hereditaments of any person attainted of treason, during the said attainder in his force, any thing before mentioned the contrary notwithstanding, 3. Edm. 6. 11. That the attainder of any person for any offence made treason by any of the actes made, 5. Eliz. 1. 5. Eliz. 1. 18. Eliz. 1. Shall not make any corruption of blood to any heire, nor the wife of the offender to lose her dower, S. Queene. 8. Forfeiture 2.*

4. **C**If any persons doe purchase, or shall haue estate conveyed in any lands, tenements, or hereditaments unto them, and to their wives, and to the heires of the husband, or to the husband and to the wife, and to the heires of their two bodies begotten, or to the heires of one of their bodies begotten, or to the husband, and to the wife for terme of their liues, or for terme of life of the said wife: Or if any such estate or purchase of any lands &c. shalbe made to any husband, and to his wife in forme aboue expressed, or to any other persons &c. to the vse of the said husband or wife, or to the vse of the wife, as is aboue rehearsed for the ioynture of the wife, then in every such case, every woman married hauing such ioynture made, shall not claime nor haue title to haue any dower of the residue of the landes, tenements, or hereditaments, that at any time were her said husbands, by whom she hath any such ioynture, nor shall demand nor claime her dower against them that haue the landes and inheritance of her said husband. But if she haue no such ioynture, then shee shall be admitted to haue and demand her dower by writte of dower, after the course of the Common lawes, 17. Hen. 8. 10.

5. **C**But if any such woman be lawfully expelled or evicted from her said ioynture, or from any part thereof, without any fraud or couin by lawfull entre, action, or by discontinuance of her husband, then she shall be endowed of as much of the residue of her husbands tenements, or hereditaments, whereof she was before dowable, as the same lands so evicted &c. shall extend unto, 17. H. 8. 10.

6. **C**It is provided, that if any wife shall haue any landes, tenements or hereditaments unto her giuen or assured after marriage, for terme of her life, or otherwise in ioynture (except the same assurance be to her made by Act of Parliament) and the said wife after that fortune to ouerlive the same her husband, in whose time the said ioynture was assured unto her, then the same wife may at her libertie after the death of her husband, refuse to take the landes so to her giuen during the couerture in ioynture (except &c. and thereupon demand and take her dower by writte of dower, or otherwise according to the Common lawe, of and in all such landes, tenements, and hereditaments, as her husband was seised of any estate of inheritance at any time

L. i.

during

See 12.

A woman shall not haue both ioynture and dower of her husbands lands.

If a woman's ioynture be evicted, she shall be endowed.

A woman may chuse whether she will take a ioynture assured after marriage or her dower.

Dower, vnde
nihil habet.

A woman en-
dowable of
lands which
be recovered
against h hus-
band, by collu-
sion or default,

during the coverture, 17 Hen. 8. 16. **7** A writte of dower vnde nihil habet, shall not be abated by the tenants exception, for that the woman hath received her dower of an other man, before the writte purchased, if he cannot shewe that she hath received part of her dower of himselfe, and in the same Towne, before the writte purchased, West. 1. 3. Ed. 1. 48.

8 If a man being impleaded of a tenement doth plainly peeple it to his adversarie, or doeth lose it by default, in both cases after the death of the husband, the wife shall be allowed to bring her writte of dower: And the tenant which recovered by default in the suite commenced against him, shall shewe his right, that he hath in the land, according to his former writte, whereby he recovered against the husband. And if he can shewe that the womans husband had no right in the landes in demaund, nor any other but himselfe, he shall goe quite, and he shall recover nothing by her writte of dower. But if he cannot shewe it, the woman shall recover his dower. West. 2. 13. Ed. 1. 4.

1 For dowerment by the custome of gavelkind, and what cause of forf, thereof, S. Prerog. 16.

2 That the Queene shall have the reversion, if tenant in dower die, during the minoritie of her ward, S. Willes 9.

3 For admeasurement of dower by the gardein or heire, S. Admeasurements. 1.

4 That where the Queenes tenant in chiefe doeth intrude and die, his wife shall not be endowed, S. Prerog. 13. Liverie 2.

5 That the grauntee or committee of a Ward, shall not have aide of the Queene in a writte of dower, S. Ayde. &c. 2.

6 Where a woman aliening her dower, or other particular estate, he in the reversion may enter or have his action, S. Women. 1. 2.

7 That a woman shall have her dower, though her husband be attainted of any of the offences made Felony by the Statute, 23. Eliz. 2. See Newes 7. Felony 33.

8 That presentation to a Church by an vsurper during the estate of tenant in dower, shall not preiudice him in the Reversion, See Ad- uowson 1.

A Table

A Table declaring the length, breadth, & weight
of all wollen Cloth, which is allowable to be made within
England and Wales, to be put to sale.

	Length.	Breadth.	Weight.	Stat.
1 Cloth of Ray to be measured by the list, and the D. cloth according to the rate, shall vpon payne of forfeiture of the same, containe in	28.yards & being watered	6.quar- ters.		2.Ed.3. 15.7.H. 4.10.13. H.4.4.
2 No piece of plaine white straytes made in the Countie of Denon & Cornewall, shal vpon paine of y forf. of y same, or the value thereof be made aboute in	14.yards	1.yard	12.pouñd	27.El. 18.
3 No peece of pinned white straites made in the said countie &c. shal, vpon y like forfeiture, be made aboute in	14.yards	1.yarde,	12.pouñd	27.El. 18.
4 Euery peece of Lancashire Cottons (which shall not be strained vpon the Taynters aboute one nayle in breadth) beyng sufficiently milled and thicked, c'eane scoured, well wrought, and fully dryed, shal vpon payne to forf. for euery pound weyght lacking vnder 3.xii.d. and for euery pounce aboute, v.s. containe &c.	21. or 20 goads at least,	3. quar- ters or within one naile at least,	21. pouñd at least,	8.El. 12.
5 Euery peece of Lancashire Frizes or rugges being vt supra, shal vpo the paine afore- sayd, containe If any of the said Cottos, frizes or rugs shalbe of any greater length. Then euery yarde so exceeding, shall waygh after such rate as &c. vpon payne	betwixt 35. & 37 y. & 8. & 4	3. quar- ters at most or within one naile at least,	43. pouñd at least,	8.El. 12.

M.H.

of

The Table of Draperie.

	Length.	Breadth.	Weight.	Statute.
of sort, for every yarde, not weighing after the rate, xii. d.				
6 Narrowe listd whites made in Wiltsh. Gloucest. and Sommerfetshire, or els where of like making, shal containe	18. yards at the most.		61. pound at the least.	27. El. 17.
7 Broad listd whites made in Wilt. Gloucest. & Somerset. or els where of like making, shall containe	28. yards at the most.		63. pound at the least.	27. El. 17.
8 Every peece of broad clothe made in Kent, Suffex, Reding, or els where of like making, as the clothes made there, shall conteine	betwixt 28. & 30 y. wette.	7. quarters at least within 7 listes.	86. pound thicked and fully dried.	5. E. 6. 6. 4. & 5. P. & M. 5.
9 All white clothes made in the Cite of Worcest. called long worcesters, & all clothes of like making made in Couentree or els where shal containe	betwixt 29. & 31 y. wette.	7. quarters at least within 7 listes.	75. pound scoured & dried.	5. E. 6. 6. 4. & 5. P. & M. 5.
10 Coloured cloths made in Couentree & Worcest. or els where of like making, shall containe	betwixt 29. & 31 y. wette.	7. quarters at least within 7 listes.	80. p. at least thicked & dried.	5. E. 6. 6.
11 Short Worcesters made in the Cities of Couentree & Worcester, or els where of the same sort, shal containe	betwixt 23. & 25 y. w.	7. quarters at least.	60. pound scoured, thicked & dried.	5. Ed. 6. 6.
12 All coloured long cloths made in Suff. Norff. & Essex, or els where of like sort, shal containe	betwixt 28. & 30 y. w.	7. quarters at least.	80. p. at least scoured, thicked & dried.	5. Ed. 6. 6.
13 Every coloured short cloth made in Suff. Norff. and Essex, or els where of like sort shall containe	betwixt 23. & 25 y. w.	6. quarters and 1. wet.	64. p. at least scoured, thicked & dried.	5. Ed. 6. 6. 4. & 5. P. & M. 5.
14 Every				

	Length.	Breadth.	Weight.	Stat.
14 Every coloured cloth made in Suff. Norff. & Essex, or els where of like sortes, called handiwarps, & all whites there made or els where, as Cocksale whites, Glainsford and other handiwarps, shall containe	11. w. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.	7. quar- ters out of water.	Every y. 2. p. & d. at least scoured thicked & dried.	5. Ed. 6. 6 4. & 5. P. & M. 5.
15 All whites & reds made in Wiltshire, Glou. & Somersetshire, or els where of like making, and all other whites made in any other part of the Realme not before remembred, shall containe	betwixt 26. & 28. yardes.	being tho- rowly wet, 3. quarters and d. win he listes anwrought and listed. 17. El. 17.	whit. 61. p. colour- red 60. p. scoured thicked & dried.	5. E. 6. 6. 4. & 5. P. & M. 5.
16 All broade Plunkets, Azures, Blewes, and other coloured cloth made in Wiltsh. Glouc. and Somersetshire, or els where of like making, shall containe	betwixt 25. & 28. y. wette.	7. quar- ters at least.	88. p. at l. scoured, thicked & dried.	5. Ed. 6. 6.
17 Every course short cloth made in Suff. Norf. & Essex or els where of like sort, & every course cloth made in Ket not exceeding the price of vi. li. shall containe.	betwixt 23. & 25. y. w.	6. quar- ters and d. wet within y listes.	64. p. at l. scoured thicked & dried.	4. & 5. P. & M. 5.
18 All Karleys called ordi- naries, shall containe	betwixt 16. & 17. y. wette.		19. p. at l. S. T. and D.	5. E. 6. 6. 4. & 5. P. & M. 5.
19 All sorting Karleys shall containe	betwixt 17. & 18. y. w.		22. p. at l. S. T. and D.	5. Ed. 6. 6. 4. & 5. P. & M. 5.
No person vsing the trade of making of Karleys, shall purposely make any karleys, above the length of 18. yards at most, vpon payne of forf. xl. s. to the Q. & I. 14. El. 10.				
L.ii. 20 Eue-				

The Table of Draperie.

	Length.	Breadth.	Weight.	Stat.
20 Every Devonshire Ker- sie, called Douzen, shall con- taine	betwixt 12. & 13 y. w.	betwixt 7. quar- ters, & 8. y. w.	Every y. 1. p. at l. S. T. & D.	5. E. 6. 6. 4. & 5. P. & M. 5.
21 All broad cloths made in Taunto, Bridgewater, & other places of like sort shall containe	betwixt 12. & 13. y. w.	7. quar- ters, & 8. y. w.	34. p. the piece at l. S. T. & D.	5. Ed. 6. 6.
22 Every narrow cloth made in y. said townes or els where of like sorts, shall containe	betwixt 4. & 25. y. w.	1. yard,	34. p. at l. S. T. & D.	5. Ed. 6. 6.
23 All cloths named Check Kerries and straites shall con- taine	betwixt 17. & 18. y. wette.	1. y. wet at least	24. P. the piece at l. S. T. & D.	5. E. 6. 6. 4. & 5. P. & M. 5.
24 Every grade of Welsh lining shall containe		3. quar- ters wet.	1. p. & d. quarter.	4. & 5. P. & M. 5.
25 Every yarde of Cotton being fully wrought and cot- toned, shall containe			1. p. at l.	4. & 5. P. & M. 5.
26 All Welsh frizes wrought within the shires of Cardeg, Carmarthen, or Penbrooke, or els where of like making, redy to be solde for a whole peece, & every halfe peece of Welsh frizes accordingly shall containe	36. yards Wette at most,	3. quar- ters of a yard,	48. pound the piece at l.	5. E. 6. 6. 4. & 5. P. & M. 5.
27 Every Northern cloth shall containe And every halfe peece called douzens, shall containe the same breadth, & halfe the same length and wayght.	betwixt 23. & 25. y.	7. quar- ters of the y. at least wct.	66. p. the piece at l. S. T. & D.	5. E. 6. 6. 4. & 5. P. & M. 5.
28 All cloth called Peni- stones or forest whites, shall containe	betwixt 12. & 13. y. wette.	6. quar- & D. out of water.	28. p. the piece at l. S. T. & D.	5. Ed. 6. 6.
29 All Cottons called Man- chester & Cheshire Cottons, ful wrought to the sale (which may bee deuided vnto two halfe pieces, & shall containe such breadth and waight, as is	23 goades.	3. quar- ters wet.	30. p. the piece at least	5. Ed. 6. 6. 4. & 5. P. & M. 5.

limited to a whole peece, 4. & 5. P. & M. 5.) shall containe	36	3. quar-	48 p. the	7. Ed. 6.
30 All clothes called Man-	yardes.	ters wet.	peece at	6.
chester Rugs, or Manchester			lwrought	
Frizes (which may be deu-			& dyed.	
ded into two halfe peece, &				
shall containe such breadth &				
weight as is limited to a				
whole peece, 4. & 5. P. & M.				
5.) shall containe.				

31 Every person which shall make or cause to be made, any of the severall kindes of broad clothes above rehearsed of any shorter or longer measure then is above specified in the statute made, 5. Ed. 6. & 4. & 5. P. & M. and appointed for every Countrey, or severall kind of clothes to be made, or make any such Cloth of lesse breadth, being well scoured, thicked milled, and fully dyed, then is above specified, and appointed for every severall Countrey of kindes of Clothes, and shall put the same to sale, shall forfeit for every such default of every Cloth sold or offered to be sold in length or breadth x. s. And every person which shall make or cause to be made any of the severall kindes of Kerseys, narrow Clothes, Straites, Dozens, Frizes, or Cottons above mentioned, which shall not be made in such manner and forme, as is above said, nor containe in length and breadth severally appointed as is above specified, shall forfeit for every peece of such Cloth so made and sold, or offered to be sold, xx. s. And if any such Cloth of Kersey shall lacke of such weight, as by the said statute it is appointed to have: Then the maker thereof, or other person in whose possession the same shall be found, shall forfeit for every pound lacking above iiii. li. s. And also for every pound not exceeding iiii. li. s. to the D. and T. to be recovered by A. T. &c. wherein no Writ. 4. P. & M. 5. Ed. 6. & 4. & 5. P. & M. 5.

32 If any broad Cloth shall exceede the severall length before appointed, by meanes of the fineness for the good and stiffe making of the same, when the maker thereof shall not incurre any penalty for shorter length of any such fine Cloth, 5. Ed. 6. And if any Cloth of Kersey of the severall kindes of making mentioned in the said statutes of 5. Ed. 6. & 4. & 5. P. & M. do exceede the severall lengths mentioned in the same: then every yard so exceeding, shall weigh after such rate, as every yard of such Cloth of Kersey concerning the said severall lengths, shall or ought to weigh, upon paine of forfeiture for every yard not weighing after such rate, v. s. 5. Ed. 6. & 4. & 5. P. & M. 5.

33 If any Whites or Reddes made in the Counties of Wiltshire, Gloucester & Somerset, or else where, of like making, or any other Whites before mentioned, (viz. in the fifteenth branch) shall not containe the quarters

Forfeiture for default of weight or measure.

Whites and Reddes made in Wilt. Glouce. Somersetshire.

Cloth exceeding the appointed length.

Whites and Reddes made in Wilt. Glouce. Somersetshire.

and a halfe, at the least within the listes as is aforesaid: then every person offending in that behalfe, shall for every such cloth be subiect unto such paines, penalties, and forfeitures, as were by force of the said Statute of 5. Ed. 6. to have bene forfeited for want of breadth of seven quarters within the listes, viz. he shall forfeit for every such default of every cloth sold or offered to be sold, 40. s. to thefinder thereof. And if any cloth to be made in any of the said Counties or els where, of like making, called narrow listed Whites, being well scoured, thicked, milled and fully dyed, shall containe in weight any lesse then sixtie one pound at the least, or if any cloth to be made in any of the said Counties or els where of like making called broad listed Whites, being well scoured, thicked, milled, and fully dyed, shall containe in weight any lesse then sixtie three pounds at the least: Or if any of the said clothes called narrow listed, or broad listed Whites, shall containe in length any more then xliii. paces at the most: then every of the said Clothiers there in offending, shall incurte double such penalties and forfeitures for every pound so wanting of the said severall weights above limited, and for every yard so exceeding in length, and not weighing after such rate as is before expressed, as by the foresaid Statute of 4. & 5. Ric. 3. is provided and appointed, viz. he shall forfeite for every yard exceeding in length 7. s. and for every pound lacking, about iii. li. 7. s. and for every pound not exceeding foure pound, iii. s. 27. Eliz. 17. to continue for five peeres next after this session of Parliament, and from the said five peeres, until the ende of the next session of Parliament then next following.

Narrow listed
Whites.

Broad listed
Whites.

The Draper
shall trie the
cloth and pre-
sent the fault.

34 ¶ No Draper, Marchant, Tayler, Clothworker, or other person, which shall retaille any such clothes or Kerseys, Frizes, Rugges, or Cottons of the severall makings specified in the act made 5. Ed. 6. shall put to sale any of the said clothes, wherunto the Aulneger shall have set the Queenes seale, and the owner his seale, till he have made triall aswell by the water, as by the weight and measure, whether they shall be made according to the purpose and true meaning of the said act or no. And if any person shall finde any defectiue or faultie cloth, in length, weight, or measure, made contrary to the orders aforesaid, then he shall present every such cloth, to every Mayor, Bailife, or other head officer or head officers of every Citie, Borough, or Towne corporat, or to the two Justices of peace next abiding out of a Citie, Borough, or Towne corporat, where such cloth shall be found faultie, to the intent the same cloth may be cut into thre equall pieces, the one piece thereof to bee forfeite to the Queene, another to the Presenter thereof, and the third part restoue to such person or persons as it shall then bee presented to, upon paine that every such person as shall so search every of the Clothes, Kerseys, Cottons, or Frizes aforesaid, so by him bought and sold, and shall not seile and present such Cloth as hee shall finde defectiue, shall forfeite the double value of every such Cloth, 5. Edward 6. 25. Ed. 6. 31. See 5. 6.

35 **E**uery Clothier or other person whatsoever, which so shall sell any such faultie Kersey, Cotten, or Frieze, whereunto the Aulneger and the owner shall haue set to their Seales, and shall be so sealed as is aforesayd, shall within xiiii. dayes next after request made by writing, message, or otherwise by such person which shall so buy such cloth, make payment of such summes of money as he receiued for the same, or shall otherwise satisfie, discharge and acquit him for so much money, as he shall or should haue receiued for the same, vpon paine of forfaiture to the Plaintiff for euery non payment, or not acquittall, the double value of the money so receiued, &c. to be recovered by A. B. P. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 6. See 56.

Repayment of money receiued for faultie Cloth.

36 **A**swell the Maior of London and Aldermen, or the more part of them, as euery other Maior, Bayliffe, and head Officer of euery Citie, Borough or Towne corporat within this Realme, shall from time to time appoint two, or mo honest discrete and expert persons, which shall from time to time vpon their othes viewe and search all clothes that shall be dyed, dyed or pressed with the colde presse, within euery such Citie, Borough, towne corporat, or Port to wne, and viewe and search whether the same Clothes be well and sufficiently dyed and pressed with the colde presse, without putting thereto flock's solace, chalke, flower, or any other deceitfull thing, and also whether the same shall be well dyed with good and perfect colours without any deceiptable thing, or whether it shall be streined any more then in this statute is specified, and shall haue power to enter into euery persons house where they shall thinke meete, to search and seise euery such Cloth as they shall finde defectiue in the premisses, in whose hands soeuer they shall be found, as for. to the D. and to the Maior and Comminaltie of the Citie, Borough, Towne corporat, Port to wne or Market town, where the same shall be seised. And euery person in whose possession such defectiue or faultie Cloth either by euill dying, dressing or pressing, shall be found and seised, shall haue his remedy (by A. T. &c. wherein no W. &c. E. P. &c.) against euery such person by whose defaults or negligence such Cloth shall so be found faultie, and shall thereby recouer all such costes, losses and damages as hee shall sustaine by occasion thereof. And euery Maior, head Officer, &c. of any Citie, Borough, or Towne corporat, in which any Clothes shall be made, dyed, dyed, or pressed with the colde presse, which doe not appoint so many searchers as shall be requisite to search and viewe Clothes vpon their othes, shall forfeite for euery default x. li. to the D. & T. to be recovered by A. T. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 6.

Searchers of Cloth.

Deceitfull things put in Cloth.

37 **A**swell the Maior of London, as euery other Maior, Bayliffe, Portriue, or other head Officer of euery Citie, Borough, Towne corporat, or Port to wne, shall cause to be prepared a Seale of Leade, wherein aswell the armes, as the name of euery such Citie, Borough, Towne, &c. shall be grauen, which the same Searchers shall cause to be fixed to euery Cloth that they shall finde well and sufficiently dyed, dyed and pressed, with the colde presse

A Seale of Leade in euery corporat town.

Draperie.

The Sealers
forfalt for sea-
ling of faultie
Cloth.

preſſe without any of the deceitſ aforesayd, and ſhal haue for their paines by the owner thereof for the Sealing of euery Cloth ii. s. Ed. 6. 6.

38 ¶ If any Searchers doe finde any of the Clothes being coloured or dyed, either cockly, purſie, baudy, ſqualy, or roſy, or euil burled, or waſten in the mill, or full of holes, or brackes, then they ſhal beſides the Seale of the Citie, Borough or Towne corporate where the ſame Cloth ſhall be found, put another Seale of Lead, at euery ende of the ſayd Cloth, wherein ſhalbe grauen the letter (F) & ſhal alſo ſet a marke in the liſt, right againſt ſuch place where any of the faultes aforesayd ſhalbe, with the print of a letter or marke of an ynch compaſſe at the leaſt, whereby euery buyer may wel know what and where the fault is. And if any of the ſoſeſayde Searchers doe ſet the Seale of any Citie, Borough, &c. to any Cloth which ſhal haue any of the ſoſeſayd faultes, and doe not ſet at euery ende of the Clothes one Seale with the letter (F) then the Comminaltie of euery ſuch Citie, Borough &c. where ſuch Searcher ſhall be appointed, ſhall forſaite for euery ſuch omiſſion ſine pound to the Queene and Informer, to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 6. 4. and 5. P. and P. 5.

Cloth ſealed in
one Borough,
ſhall not be
ſearched in an
other.

39 ¶ The Seale of euery Borough or Towne corporat, appointed for the Sealing of any kinde of Cloth, ſhall be fixed to euery ſuch kinde of Cloth being well made within ſuch Citie, Borough or Towne corporate; which Cloth ſo Sealed with the Seale of any Citie, Borough or Towne corporat, ſhal not be ſearched; tryed or viewed by any Searcher or Sealer of any other Citie, Borough or Towne corporat, by vertue of his ſaid office. 4. and 5. P. and P. 5.

Refuſing to be
a Searcher.

40 ¶ If any of the ſayd Searchers ſo appointed by the Maior, Bailiffe or other head Officer of any Citie, Borough, or Towne corporat, hauing no reaſonable excuſe, doe reſuſe to be a Searcher and doe not uſe the Office of a Searcher, he ſhall forſaite for euery ſuch reſuſall and not executing of his Office v. li. to the Queene; and the uſe of the Comminaltie of euery Citie, Borough &c. where he ſhall be aſſigned, and alſo ſhall remaine in ward, till he hath payed the ſaid forſaiture, or otherwiſe put in ſufficient bond for the ſatiſfaction of the ſame. 5. Ed. 6. 6.

The ſearchers
or ſealers may
enter into es-
uey mans
houſe.

41 ¶ The ſearchers or Sealers & euery one of them, haue authoritie in the day time, to enter into euery houſe of euery perſon, where he or they ſhal thinke meete, to ſearch, and to trie euery kinde of Clothes, Kerſeys, Friſes, and Rugs, as they ſhal finde defectiue, either in length, breadth or waighe; and the ſame to trie by water and waighe, and alſo to ſearch and ſeiſe as forſaite euery Cloth made of other colours therein this Act is appointed 4. and 5. P. and P. 5.

Denying of
ſearch.

42 ¶ If any perſon ſhall denie, withſtand, or withhold any Clothes, Kerſeys, Friſes, Rugs, from the ſaid Sealers or Searchers, or any of them, or will not ſuffer them to enter into their ſhops, warehouſes, houſes or places where their Clothes &c. ſhalbe, the ſame to be ſearched and tried as is aforesayd.

said: Then he so denying or withstanding, for every such withstanding, withholding or denyall, shall forfeite x. li. to the D. and J. to be recovered by A. J. wherein no W. &c. E. P. &c. 4. and 5. P. and P. 5.

43 ¶ It shal not be lawfull for any of the sayd Searchers or Sealers, or any other person, to search any woollen cloth or Kersey, whereunto the seale of a Citie, Borough, or Towne corporate shalbe fixed within the Cloth market of London, called Blackwell Hall; or in any common Cloth faire, or Cloth market, of any other Citie, Borough or Towne corporate, in and during the time of the Faire or Market. 4. and 5. P. & P. 5.

44 ¶ If any person shall by himselfe, or by any other person by him procured, counterfeit, set to, or take away from any Cloth, Kersey, Frize, Rug, or Cotten, any Seale appointed to be fixed to the same, by either of the statutes made 5. Ed. 6. & 4. & 5. P. and P. Then he shal forfeit for the first offence, (being thereof duly convicted by verdict of xii. men, or by two sufficient witnesses, or by confession of the partie) x. li. And for the second offence being likewise convicted, shal sit on the Pillorie, and forfeit to the Queene all such his goods and cattels (his debtes being truly payed) as he shall have at the time of his conviction. 5. Ed. 6. 6. 4. & 5. P. & P. 5.

45 ¶ No person which commonly vseth to retayle Cloth or Kersey, shal put to sale, in gross, or by retayle to any person, any manner of Cloth being dyed, dyed, and pressed, except there be fixed thereunto at every end of the same Cloth the Seale of such Citie, Borough or Towne corporate where the same Cloth shall be so dyed, dyed and pressed, or the severall Seale of every such Citie, Borough or Towne corporate, where it shalbe dyed, dyed or pressed, to remaine at the last end of every of the sayd Cloth, which shalbe sold during all the time that any piece of such Cloth is to be sold, upon paine of forf. the whole value of such Cloth to the D. & J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 5. Ed. 6.

46 ¶ And every person dwelling within the Countie of Somerset, which shal put to sale any woollen clothes, commonly called Bridgewater, Tanton, and Chard clothes, or Clothes of like making, nature, & sort, made within the sayd Countie, except such Cloth be first viewed, searched, and seene in one of the Boroughs of Bridgewater, Tanton or Chard, and Sealed with the Seales of one of the sayd Boroughs or Townes, according to the foresayd Statute. 5. Ed. 6. shal forfeit the Cloth sold, or the value thereof, to the D. & J. &c. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 2. & 3. P. & P. 12.

47 ¶ Every person now dwelling within any Citie, Borough, or Towne corporate, and making any of the Clothes or Kersyes aforesaid, may lawfully bring the same to the next Citie, Borough or corporate Towne where any such kinde of Clothes or Kersyes be commonly made, there to be Sealed in manner and forme aforesaid. 4. and 5. P. and P. 5.

48 ¶ If any Searcher or Sealer appointed by the foresaid statutes of 5. Ed. 6.

In which
the cloth
shall be
searched
in a market.

No Cloth
which is sealed
shall be searched
in a market.

Counterfeiting
or taking away
a Seale.

No cloth retailed
but which
is sealed.

Bridgewater
Tanton, Chard
clothes.

Clothes
brought to a
Towne corporate
to be sealed.

To be sealed
in manner
and forme
aforesaid.

Draperie.

Sealing of
Cloth which
lacketh length,
waight, dyedry

7. Ed. 6. p. 4. c. 5. p. 8. p. 9. Shall see the Seale of the Citie, Borough or towne corporat; to any Cloth which shall not containe such length, waight and breadth, as in the said Statutes is appointed, then p corporation of the towneship, where such Cloth, Kersey, F rize, Cotten or Rug shalbe so Sealed, shal forf. the whole value of the Cloth so Sealed. 4. and 5. p. and p. 5.

Sealing of
cloth not suffi-
ciently dyed,
dyelled,
wrought.

49 ¶ If any of the Searchers aforesaid, shal see the Seale of any Citie, Borough, Towne corporat, or Ports towne to any coloured Cloth which shal not be sufficiently dyelled, dyed, pressed and wrought, as is aforesayd, Then the corporation of the Towneship, where such Cloth shall so be Sealed, shal forf. the whole value of the Cloth so Sealed. 5. Ed. 6. 6.

Duerseers ap-
pointed by the
Justices.

50 ¶ In every Towne, Village or Hamlet, being not corporat, where any Cloth shall be made or sold, the Justices of Peace, of the same Shire where any such Towne, Village, or Hamlet is, or two of them at the least, shal haue full power once every yeere to call before them, by their precept or otherwise. 2. 4. 6. 8. or more as they shal thinke good, of the most honest, discrette and indifferent men of every such Towne &c. and them shal appoint to be Duerseers for one whole yeere then next following within the Towne, Village or Hamlet, where the same Duerseers shall be dwelling, charging them vpon their othes &c. that they doe endeavour themselves for that yeere, as much as in them shal lie, to see that the Stat. of 3. Ed. 6. provided for the true meaning of woollen Clothes, be truly obserued within the limits of their charge, in every part thereof. 3. Ed. 6. 2.

The anthozitie
of Duerseers.

51 ¶ The same Duerseers, or two of them, shall every quarter of the sayd yeere at the least, or sooften as neede shall require by their discretions, visite and go into every Clothiers, Drapers, Clothworkers, Dyers, or mel-
fours houses, shops, and other places, where Cloth or dyed wooll shall be, and there make due search, and viewe the Clothes and wools made or dyed, or remaining to be solde, and to search and trie, whether the sayd Clothes be dyed, or strained, or falsly dyed. 3. Ed. 6. 2.

The forfeiture
of them which
refuse to be
Duerseers.

52 ¶ If any of the said persons so commaunded to appeare, to be made Duerseers, hauing no reasonable excuse, do refuse to come and to take vpon him to be an Duerseer, Then every such person shal forsaite for every such refusing 10. s. to the D. and to the Justices of peace by whom he was comma-
nded to appeare, or to be an Duerseer, and shal remaine in the ward of the Sher-
iffe vntill he hath payd the same forf. or otherwise put in sufficient band for the satisfaction of the same. 3. Ed. 6. 2.

The punish-
ment of the
Duerseers which
doe not make
search.

53 ¶ And if the same Duerseers, or two of them at the least, doe not once every quarter of the yeere make due search for the true executing of this Statute, then every of the sayd Duerseers shal forsaite for every such default 10. s. to the D. and J. &c. to be recovered by J. J. &c. wherein no W. &c. E. p. 2. 3. Ed. 6. 2.

The forsaite of
them which
interrupt the
Duerseers.

54 ¶ And if the same Duerseers shalbe interrupted, and not suffered to enter into the sayd houses, shops, or other places, where any such Clothes, or wools

woolls shalbe made or dyed, or any other of the sayd defaults shalbe committed, there to make search for the better executing of this statute, Then every one that so shall make any such interruption, shal forfeit xx. li. to the Queene and to the sayd Querscers, to whom any such interruption shall be made, to be recovered by A. J. &c. wherein no W. &c. E. D. &c. 3. Ed. 6. 2.

55 **P**rovided that no person shall take any advantage of any the sayd forfeitures, by reason of this statute of 3. Ed. 6. vnlesse he doe commence his suite within one yeere next after the sayd offences and forfeitures committed. 3. Ed. 6. 2. within what time that suite shalbe commenced.

56 **E**very Clothier shall weaue, or cause to be wouen his seuerall tokens or marke, in euery Cloth, Kersey and other Clothes whatsoever they be, made to be vntered and solde, and when any Cloth shall be ready made and dyessed to be put to sale, euery of the same Clothiers shal set his Seale of Lead vnto euery of them, in which Seale shalbe contained the iust length of euery of the same Clothes or Kersyes, as it shalbe found by euery buyer of the same, vpon due prooue thereof to be tryed by the water. And in case vpon any such prooue to be made by any buyer of them at the water, there shall be found lesse content in length then is contained in euery of their sayde Seales, Then euery of the sayd Clothiers shal forfeit vnto euery such buyer of the same the double value, of so much Cloth as shall want of his sayd content in length, at the onely sight and iudgement of any two indifferent persons that shal measure the same, And euery Clothier putting his Cloth to sale, before it shalbe Sealed by the Aulneger, and marked in the fourme aforesayd, shal forfeit his Cloth to the Q. and J. to be recovered by Accion, Information, &c. wherein no Wager &c. Ellbigne, Protection &c. 27. H. 8. 12. See 34. 35. & **Q**uere whether the Clothier shal forfeit the double value, or the Cloth, or both. The Clothiers marke.

57 **N**o person shal vse any marke vpon his Clothes such as another doeth, and hath vled before him, vpon paine of forfeiture of euery of the sayd Clothes, to the Queene and to him that wil seile the same. 5. H. 8. 2. 5. H. 8. 8. No Clothier shall vse another's marke.

58 **I**f any Cloth or Kersey through the default or negligence of the Carders, Spinners, or Weauers, shal prooue either pursie, cockley, bawdy, squally or rowpy, by warpe or woofe, or els shall happen to be euill burled or wasted in the mill, or els through the default of the mill man, or otherwise to be full of holes, millbrakes, or to be holp, then the maker thereof shal fixe vnto euery end of y^e said Cloth or Kersey, so being defectiue & faultie, and offered to be solde, one Seale of Lead, in the which Seale shall be ingraued this worde (faulty) vpon paine of forfe. of such Cloth or Kersey, or the value thereof, so offered to be solde, whereunto such Seale shal not be set. 4. and 5. H. 8. 5. Faulty Cloth.

59 **I**f it shal fortune any marchant to transport any Clothes, Kersyes, Fyzzes or Cottens, whereunto the Seale with this worde (Faulty) was not annexed at the time of the sale thereof, by the Clothier, & the same so transported Faulty Cloth transported.

Draperie

ported, or any of them to be found faultie or defectiue, and the same marchant thereof within two yeeres after such sale to bring a Certificat Sealed with the Seale of any Towne, or company in the parties beyond the seas, or signed by a Notary there, after þ accustomed maner, declaring thereby the losse which the marchant shall haue sustained by such defectiue and faultie Cloth so transported. Then the Clothier or other person of whom the Cloth was bought, their executors or administrators, shal within sixe weekes, next after request made by þ sayd marchant, his executors, administrators or assignes, truly pay to such marchant, his executors, administrators or assignes, euery such summe of money as shalbe so declared in the sayd Certificat, vpon paine of forf. to the partie grieved for euery non paiement vpon such request, double the value of such summe mentioned in the said Certificat. But such marchant shal not haue by vertue of this Act, any recompence for lacke of length, breadth, or waighe of any Cloth, whereunto the Seale of any Citie, Borough or Towne corporat shalbe fixed. 4. and 5. H. and H. 5.

The waighe of the wooll deliuered by the Clothier to the carders & spinners, & by them redeliuered.

60 ¶ The wooll which shall be deliuered, for, or by the Clothier to any person, for breaking, keimbing, carding or spinning of the same, shall be by euen, iust, and true pois and weighe of haberdypoies sealed by authoritie, not exceeding in weighe after the rate of twelue pound seimed wooll, aboue one quarter of a pound for the waste of the same wooll, and in none other maner. And the breaker or keimber shall deliuer againe to the same Clothier the same wooll so broken and kempt, and the Carder and Spinner shall deliuer againe to the sayd Clothier, yarne of the same wooll by the same euen pois and waighe (the waste thereof excepted,) without any part thereof concealing, or any more oyle, water, or other thing put thereunto deceiuably, vpon paine to forf. to the Lorde of the Leete, within the precinct whereof such default is done, for euery such default xii. d. vpon due prooffe of such receipt, before and by discretion of the Mayor, Bailife, or other head Officer of the Citie, Borough or Towne where the receipt shall appeare, calling to him such persons, as shall seeme to him conuenient for the prooffe of such receipt. 6. H. 8. 9.

Deceiters of Welsh Cloth, that paye the Sherman ready money.

61 ¶ Euery person occuppying the trade of buying and selling of welsh Cloth and Lynings, within the Towne of Shrewsbury in the Countie of Salop, which doeth deliuer the same to be Cottoned, Frized, dyessed or wrought, to any Sherman, Cottoner or Frizer, & doeth not pay to the same Sherman or ac. ready money for all his said worke, without any colour, fraud, or engin whatsoeuer, and without ware or other thing in satisfaction of his said worke, or any part thereof, shal lose all his liberties and freedoms of the Fraternitie of Drapers, and for euer after be excluded and disabled by himselfe or any other for him to occupie or enjoy the trade of buying and selling of Welsh clothes or Lynings. 8. El. 7. 14. El. 12.

No retailer of lining, frizes, or cottens, shall worke the same.

62 ¶ No person which shall buy to sell againe by way of retayle or other wise, any Welsh Lynings, shal dyesse or worke, or cause to be dyessed or wrought,

wroughte, within his dwellinghouse, or in any other places, any of the sayd Welsh Linings, but shal put the same to some such person as shall be of the Science of Shermen, Cottoners, or Fryers, to be by them wroughte and dyessed, vpon paine of forf. for euery Welshcotten, or Lining frized, or cottoned to the contrary vi. s. viii. d. 4. and 5. p. and p. 5. and if any person dwelling within the Towne of Shrewsbury in the Countie of Salop, or the Liberties of the same, vsing the trade of buying of Frizes, Cottons or Plaines, doeth exercise the facultie of frizing or cottoning, he shall forf. for euery piece vi. s. viii. d. to the D. and J. to be recovered by A. J. &c. where in no W. C. p. &c. 8. Cl. 7. 14. Cl. 12.

haire, flockes,
lambs weoll.

63. No person shall put any haire, flockes, or any yarne made of lambs wooll into any Cloth, Kersey, Frize, or Cotton so made and solde, or offered to be solde, vpon paine to forsaite euery such Cloth, Kersey, Frizes and Cotton wherein any such yarne, haire, or flockes shall be put, or the value thereof, to the D. and J. to be recovered by A. J. &c. wherein no W. C. p. &c. 5. Ed. 6. 6. The foresayd branch made Anno 5. Ed. 6. which prohibiteth the putting of haire, flockes or yarne made of lambs wooll into any Cloth or Frize, hauing regard vnto the Clothes called Plaine white straighes and Pinued white straighes, shall be repealed and made voyde. And it shall be lawfull to all and euery the Queenes subiects, inhabiting or which shal hereafter inhabite within the Countie of Devon and Cornewall, as well in Townes corporate, Market Townes, or els where, to weaue and make the sayd Clothes called Plaine white straighes, and Pinued white straighes, and to vse and occupie in making of the sayd Clothes, flockes, haire, and yarne made of lambes wooll, and to haue, keepe and vse in his and their houses, thre Loomes and not aboue, for making of the Clothes aforesaid: and to make the same Clothes of such length, weight and breadth, as the Marchant shall like or accepte to buy the same for marchandizes, or appoint the same to be made for the vse and most acceptable allowance of the Countrey people where the same shall be transported for marchandizes, for that in trueth none of the same are worne or occupied within this Realme: The sayde Statute made Anno 5. Ed. 6. or any other Law or Statute, &c. nor withstanding. Provided alwayes, that in defrauding of the Queenes Customs, no piece of the sayd Clothes shalbe made aboue xii. pound in weight, or aboue xiii. yardes in length, or one yarde in breadth, vpon paine of forfeiture of all such Clothes made ouer and aboue the sayde length, breadth or weight, or the value thereof to the Queene and Informer, to be recovered in any Court of Record, by W. B. p. or J. wherein no W. C. p. &c. 27. Cl. 18.

The length,
breadth and
weight of
plaine & pin-
ued straighes

64. No person shal straine, or cause to be strained any Cloth, aboue one yarde in length, and one halfe oz. in breadth, vpon paine to forsaite for euery such default v. l. And no person which shall haue or occupie any tentour, shall haue or occupie any wench, rope, or ring with the same tentour, or shall

Straining or
stretching of
Cloth.

Draperie.

shall vse any other engin, vnlawfull to straine, or stretch any Cloth, vpon paine that euery offendour, that shall vse or occupie any tentour, or other engin to the contrary, shall forf. xx. li. to the Q. & I. to be recovered by A. I. &c. wherein no W. E. P. &c. 5. Ed. 6. 6.

**Dyelling of
Cloth.**

65 **C**No person shal presse any kinde of Cloth, with the hote presse, or in any other kinde of deceitable maner, but onely with the colde presse, vpon paine of forf. of the whole Cloth so pressed, or the value thereof, to the Q. and I. to be recovered by A. I. &c. wherein no W. E. P. &c. 5. Ed. 6. 6.

**Dypling of
wooll.**

66 **C**No person shal boyle, or cause to be boyled, any woolls to be conuerted into any kinde of broad Cloth, or Kersey, with any kinde of gaules, rindes, barkes of trees, or sawdust, vpon paine to forf. all such wooll or the value thereof, to the Q. and I. to be recovered by A. I. &c. wherein no W. E. P. &c. 5. Ed. 6. 6.

Lists of Cloth.

67 **C**No person shall adde vnto any Cloth, any counterfalte list like vnto the making of Cockfall, Bocking, or Baintrey Clothes, commonly called handy warpes, except the warpe thereof be sponne vpon the distaffe, vpon paine of forf. of the same Cloth, or y^e very value thereof: But the Cloth-makers within the Citie of Worcester may make such lists as they haue done heretofore. 4. & 5. P. & P. 5.

**Clothes made
in the West-
ding in Poyke
shire.**

68 **C**No person inhabiting within the Westriding in the Countie of Poyke, shal make, or cause to be made any Broad clothes, called, Pewkes, Tawnies, Violets, or Greene, except the wooll thereof (before it be conuerted into yarne) be first dyed, listred, and coloured, with the colour blew, of the value of li. d. a pound, vpon paine of forf. of euery such coloured Cloth, whereof the wooll shall not be first dyed, &c. or the value thereof, to the Queene and Informer, to be recovered by Accion, Information &c. wherein no W. E. P. I. &c. 4. & 5. P. & P. 6.

**Folding of
Welsh Cloth.**

69 **C**Welsh Clothes called Whites, Russlets, and Kennets, made in Northwales, and Dycester Hundred, that shall be brought to any common Markets or Faires to be vterred and sold, shalbe folded either in platts, or cuttell, as the clothes of all other Countreies of this Realme are vsed, to the intent the buyers may perceiue the breadth and goodnesse thereof, vpon paine of forf. of euery piece brought to any Market or Faire to be solde contrary to the fourme aforesayd, to the Q. and I. to be recovered by A. I. &c. wherein no W. E. P. &c. 33. P. 8. 3.

**Colours of
Cloth.**

70 **C**No person shal put to sale within the Realme of England, any coloured Cloth of any other colour, or colours, then Scarlet, Red, Crimson, Purpury, Violet, Pewke, Brownblew, Blacke, Greene, Pelowe, Dichtawney, Russlet, Parble, Gray, Sab Newe colour, Azurie, Matched, Sheepes colour, Lion colour, Potley, Iron gray, Friers gray, Crane colour, Purple, and olde Medley colour, most commonly vsed to be made aboue and before twentie yeres last past 4. and 5. P. and P. 5.

**Dying of
Clothes.**

71 **C**No person occupying the seate of Dying, shal dye, or alter into colours,

colours, or cause to be dyed, &c. any woollen Clothes, as Brownables, Pewkes, Lawnies, or Violets, except the same be perfectly boyled, Grayned, or maddered upon the Wood and hot with good and sufficient cooke of orchall, after a due, substantiall and sufficient maner of workmanship, according to the auncient workmanship in time past vsed, upon paine for euery default to forfeit xx.s. No person shall dye any wooll to be conuerted into Cloth, called Russlets, Russlers, Parbles, Grapes, Rayes and such like colours, or to bee conuerted and made into Hats or Caps, vntil the same wooll be perfectly woaded, boyled and maddered, according to the true and auncient vsage, upon paine of forfeiture for the falsse dying of euery such Cloth, or of as much wooll as shall serue for the making of euery Cloth contrary to the true meaning herof, fourtie shillings. No shall dye with Baseell to the intent to make a falsse colour in Cloth, nor wooll Pattes nor Cappes, upon paine for euery default to forfeite twentie shillings. 3. Ed. 6. 2.

72. No person shall occupie any Iron cardes, or Pickardes in rowling of any set Cloth, or any maner of woollen Cloth, upon paine to forfeit as well the sayd Iron cardes and Pickardes, as also the summe of xx.s. for euery such offence. 3. Ed. 6. 2. And if any person occupie any Sigmil for workmanship of any wollen Cloth, he shall forfeite for euery Cloth wrought in or by any of them. v. li. 5. Ed. 6. 22.

Iron cardes,
Pickardes.

Sigmilles.

73. No person shall sell any Cloth by any lesse measure, then after the true content thereof, to be moten and measured by the yarde, adding to euery yarde one ynche of the rule. 6. H. 8. 9. 3. Ed. 6. 2.

measure of
Cloth.

74. No person shall buy any Coloured wooll, or Coloured woollen yarne of any Carder, Spinner, or Weauer, but onely in open Market, upon paine of forfeiture of such wooll and yarne so bought, to the M. & J. to be recovered by A. J. &c. wherein no W. C. P. &c. 6. H. 8. 9.

Buying of coloured wooll
and yarne.

75. No person vsing the seate of Cloth making, and dwelling out of a Citie, Borough, Market Towne, or Corporate Towne, shall haue in his possession, aboue one woollen Loom at one time, nor shall directly or indirectly, take any commoditie, by letting any Loom, or any house wherein any Loom shall be occupied which shall be together by him let, upon paine of forfeiture for euery weeke that any person shall doe contrary twentie shillings to the M. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. & 3. H. 8. 11.

A Clothier
shal haue but
one woollen
Loom.

76. No woollen Weauer vsing the seate of Weaving, and dwelling out of a Citie, Borough, Market Towne, or Towne corporate, shall haue or keepe at one time aboue two woollen Loomes, or receiue any commoditie by any more then two Loomes at one time, upon paine to forfeit for euery weeke that any person shall doe to the contrary xx.s. to the M. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. & 3. H. 8. 11.

No Weauer
shall keepe
more than
two
Loomes.

77. No person which shall occupie onely the mysterie of a Weauer, and

No Weauer
shalbe a Tuer
not her.

not Cloth making, shal (during the time that he shall vse the seate of a Wea-
uer) haue any Tucking mill, or shal exercise the seate of a Tucker, Fuller,
or Dyer, vpon paine to forfe. for every weeke that he shal so doe, xx.s. to the Q.
& J. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. & 3. P. & P. 11.

No Tucker or
Fuller shall
keepe a Loom

78 ¶ No person which shall vse the seate of a Tucker, or Fuller, shal du-
ring the time that he shall so vse the sayd seate, haue any Loom in his house
or possession, or shal directly or indirectly take any profite by the same, vpon
paine to forfeit for every weeke xx.s. to the Q. and J. to be recovered by A. J.
&c. wherein no W. C. P. &c. 2. & 3. P. and P. 11.

No man shal
be a Weauer
but which
hath bene ap-
prentice.

79 ¶ It shall not be lawfull for any person to set by the mystrie of
Weaving, vnlesse the same person haue bene Apprentice to the same myste-
rie, or exercised the same by the space of seuen yeeres at the least, vpon paine
of xx.li. to be forfeited to the Q. and J. to be recovered by A. J. &c. wherein
no W. C. P. &c. 2. and 3. P. and P. 11. And whosoever shal weaue or make,
or put to weauing or making, woollen Cloth, long or short Kersleys, Pinned
Whites, or Platne strays, vnlesse he hath bene Apprentice to the Occupati-
on of making, Weaving, and Rowing of Cloth or Kersley, or haue bene ex-
ercised therein by the space of seuen yeeres before, shal forfeit such Cloth
or the value thereof to the Queene and J. &c. 4. and 5. P. & P. 5. But this
Act of 2. and 3. P. & P. is not prejudiciall to any persons dwelling in the
Counties of Dorke, Cumberland, Northumberland, and Westmerland,
but every of them shal and may keepe Loomes in their houses, and exer-
cise every thing concerning Spinning, Weaving, Cloth working, and
Cloth making in the sayd Counties, as they might haue done lawfully be-
fore. 2. and 3. P. and P. 11.

Loomes kept
in the countie
of Dorke, Cum-
berland, North-
umberland and
West-
merland.

The Weauer
shall put into
the Cloth all
the parne, or
refuse it.

80 ¶ The Weauer which shal haue the wrauing of any woollen parne
to be webbed into Cloth, shal weaue, worke, or put into the webbe for
Cloth, to be made thereof, as much and all the same parne, as the Clothier
or any person for him shal deliuer to the same Weauer, with his vsed marke
put to the same, without changing, or any part thereof leauing out of the
same webbe, or els shall restore to the same Clothier the surplusage of the
same parne, if any shalbe left not put into the same web, & without any more
oyle, broome, moisture, sande, dust, or other deceivable thing putting to
the same webbe, vpon paine to forfeit for every default, iii. s. iiii. d. to the
Queene and Inuoyner, to be recovered by A. J. &c. wherein no W. C. P. &c.
6. P. 6. 9.

None shal oc-
cupie clothing
but where it
hath bene vsed
&c.

81 ¶ No person shal vse the mystrie of making, weauing, or rowing
of woollen Clothes long or short, or Kersleys, Pinned whites, or Platne
strays, to the intent to put the same to sale, but onely in a Market Towne,
where Cloth hath commonly bene vsed to be made by the space of ten yeeres
last past, viz. before 20. Januarij, An. Do. 1537. or in a Citie, Borough, or
Towne corporat, vpon paine of forfe. for every such woollen Cloth, or Ker-
sley made, wouen, or rowed out of such Citie, Borough, or Towne corporat, or
Market

Market Towne, v. li. to the D. and J. to be recovered by A. J. &c. whereto
no M. C. P. &c. 4. and 5. P. & D. 5.

82 ¶ But it shalbe lawfull to any person now (vz. at the making of this
Act) using the seate of making, weauing, or rowing of Cloth or Kersey, to
inhabit where he nowe doeth, and there to vse the making, weauing, or row-
ing of Cloth or Kersey, as he hath done heretofore 4. & 5. P. and D. 5.

Inhabitants
at the time of
the Statute.

83 ¶ And it shall be lawfull to every person, which doe, or shall dwell
in any of the Shires of North Wales, South Wales, Cheshire, or Lan-
cashire, Westmerland, Cumberland, Northumberland, Bishopricke of
Durham, Cornetwall, Suffolke, Kent, the Towne of Goddeminne in the
Countie of Surrey (or Dorsetshire, being not within twelue miles of the
Cittie of Dorke) or in any the Townes or Villages neere adioyning to the
water of Stroude in the Countie of Gloucestre, where Cloth hath bene u-
sually made by the space of xx. yeeres last past, and hauing bene p-
rentice to the Occupation of Cloth making, or exercised in the same by the space of se-
uen yeeres, to set vp, and exercise the seate of making, weauing, or rowing
of Cloth, out of a Cittie, Borough, or Market Towne, as heretofore might
haue done 4. & 5. P. and D. 5.

Places excepted.

84 ¶ No person shall make, or cause to be made within the Shire of
Worcester, any woollen Clothes to be solde, except onely such persons as
shalbe dwelling within the Cittie of Worcester, the Boroughs and Townes
of Ewelham, Droitwich, Redermister, and Bromelsgroue within the sayd
Countie of Worcester, or in any one of them, vpon paine of forfeiture for e-
uery broad Cloth made by any person, contrary to the meaning of this Act,
fourtie shillings to the Queene and Informer, to be recovered by A. J. &c.
whereto no M. C. P. &c. But this Act shall not be prejudiciall to any persons
for making any Clothes for their owne, their children or their seruants wea-
ring. 25. P. 8. 18.

Worcester
Shire.

85 ¶ It shall be lawfull to every such person which dwell in Bocking,
Westbarfold, Cockshall, and Dedham in the Countie of Essex, or in any of
them, that shall exercise the seate of making, weauing, or rowing of Cloth
or Kersey, by the space of seuen yeeres at the least, or haue bene p-
rentice thereto by the sayd space, to dwell in any of the sayd Townes or Villages,
and to vse the making, weauing, or rowing of Cloth or Kersey, as before this
time they might haue done, if the sayd Act of 4. and 5. P. & D. had neuer
bene made, any lawe, &c. notwithstanding. 1. Cl. 14. And it shalbe lawfull to
and for all and euery such person or persons which now doe inhabit or dwell,
or that hereafter shal inhabit or dwell in the Townes or Villages of Bor-
stead and Langham in the Countie of Essex, nowe using or exercising, or
that hereafter shall vse or exercise the seate or mysterie of making, weauing,
or rowing of Cloth or Kersey by the space of vii. yeeres at the least, or haue
bene, or shalbe hereafter p-
rentice thereunto by the space of vii. peres, to inhabit
and dwell in the said townes or Villages of Borstead & Langham, & there to
vse

Bocking,
Westbarfold,
Cockshall,
Dedham.

Borstead and
Langham in
Essex.

vse the making, weauing or rowing of Cloch or Kersey, as before the making of the sayd statute of 4. and 5. R. & B. they might haue done, and as the sayd Act had neuer bene had or made. Any thing in the sayd Act, or any other Act. &c. notwithstanding. 27. Eliz. 23.

Somerset.
Wiltshire.
Gloucester.

89. Anno 18. El. 15. the foresayd branch of the sayd statute made 4. & 5. R. and B. as touching onely the vse of the mysterie of making, weauing, or rowing of woollen Clothes, to the intent to put the same to sale but onely in a Market Towne, Citie, &c. and all penalities &c. by reason of the sayd branch, as against any persons exercising the said mysterie, &c. within the Countiees of Somerset, Wiltshire, and Gloucester, or any of them, be repealed and made voyde. But every person being by this statute allowed to exercise the sayd mysterie &c. not being by the former Stat. (made 4. & 5. R. and B. 5.) allowed thereunto, shalbe subiect vnto such search, foyn, and other orders, as other persons dwelling out of Boroughs and Townes corporate, allowed of by the sayd former Act, or any other statutes, were subiect vnto before the making of this Act. 18. El. 15.

Inhabitants
at the time of
the statute.

87. No person dwelling or abiding within any of the sayd Countiees of Somerset, Wiltshire, or Gloucester, shal vse the sayd mysterie of making, weauing, or rowing of any woollen Cloch out of any Citie, Borough, Towne corporate, or Market Towne, except onely within such houses and places in the sayd Countiees, as such woollen Clothes haue bene most commonly vsed to be made, wouen or rowed, by the space of ten yeeres next before the making of this Act (being 8. Februarij, Anno Domini 1575.) vpon paine of foynsaure for euery such Cloch made, wouen, rowed, &c. v. li. to the Queene and J. 18. Eliz. 15.

Howe much
land a clothier
may keepe in
his occupation

This worde
(now) is to be
construed at
the time of the
stat. made.

88. Such person as shall vse the trade of Cloch making in any of the houses and places where woollen Clothes haue bene most commonly vsed to be made, wouen or rowed by the space of ten yeeres next before the making of this Act (being 8. Februarij, Anno Domini 1575.) within any of the Countiees of Somerset, Wiltshire, and Gloucester, out of a Citie, Borough Towne corporate or Market Towne, which now doeth not vse the sayd trade, shall not keepe in his Occupation or manurance aboue twentie acres of land, medowe, and pasture at the most. And euery person now vsing the sayd trade, out of a Citie, Borough, Towne corporate or Market Towne within any of the sayd Countiees, shall not take into his Occupation or manurance any land, medowe, or pasture, but that which he now hath, or as much onely in lsen thereof, vpon paine of foynsaure for euery acre of land, medowe, and pasture by such person occupied or manured, contrary to the tenor of this Act, for euery yeere that hee shall so occupie the same, and so vse the trade of Cloch making, vi. s. viii. d. to the Queene and Informer. 18. Eliz. 15.

The rents of
clothiers houses
in Wiltshire
Act 1575.

89. The Lords and owners of the meales, tenements or cotages within the Citie of Worcester, or any of the Boroughs or Townes of Ewelham, Droitwich,

Droitwich, Redemister and Bromesgroue, shal at no time let any mease, tenement or cottage sufficiently repaired within the said Citie, Boroughs, or Townes, to any person that shal inhabite in the said Citie, Boroughs, &c. and exercising the myserie of Clothing at any higher rent, imposition or charge, then was given for the same at any time within twentie yeeres next before the making of this Act, (being 25. die Januarij, Anno Domini 1533.) 23. H. 8. 18.

90 The Queenes Aulneger shalbes worne to doe his Office well and lawfully, and in case he thereof be found in default, and attainted before the Gouvernours of Faires, Patours or Bailifes of the places where the Cloth be bought, or before any other whom the Queene shal assigne, he shal be one yeere imprisoned, raunomed at the Queenes pleasure, and put out of his Office for ever, and he that will sue, shal haue the one halfe. And the Aulneger shal answer aswel for his Deputies, as for himselfe. 25. Ed. 3. 1.

Aulneger
worne.

91 The Treasourer of England, or his Deputie, shal appoint no person to be Aulneger, Sealer or keeper of the Seale, appointed for the Sealing of Clothes in any part of this Realme, but such as be expert in the making of Cloth, and worth a £. pound at the time of the sayd Deputation. 1. R. 7. 8.

The Aulneger
shalbe expert,
and worth a
£. pound.

92 The Treasourer of England for the time being, hath authoritie to let to farme the Subsidies and Aulnage of Clothes, which ought to be Sealed unto persons (which be no Strangers bozne. 1. R. 3. 1.) willing to haue the same to farme, by sufficient suretie, & the farmors shal haue the one halfe of all the forfeitures of all the Clothes and pieces of the Clothes set to sale nor Sealed with the sayd Seales, to their owne vse, paying therfore, and for the sayd Subsidie and Aulnage to the Queene at her Exchequer such yerely summe of money, as shalbe agreed betwixt the Treasourer and them, and to be accomptants to the Queene of the other halfe of the sayde forfeiture at the sayd Exchequer. 17. Ed. 4. 5.

Aulnage let to
farme.

93 If any Clothier doe put any Cloth or Kersey to sale, before he shal haue payde to the Aulneger or his Deputie, the accustomed fee, or agree for the same as he hath bene accustomed, he shal forfeit for every default xx. s. to the Queene and Informer, to be recovered by A. J. &c. wherein no A. E. p. &c. 5. Ed. 6. 6. And if any person making any whole Coloured cloth, Dons, or Clothes of Ray, doe solde or take the same together, before the Aulneger hath duely searched or surueyed the same, that they holde their length and breadth, or deines in the Statutes therfore pionsbed, he shal forfeit the same. And the Aulneger which putteth the Seale thereminto ordeined, to Cloth which is not of Affide, shal forfeit at the first default p. li. at the second xx. li. and at the third his body shal be arrested, and his goods at the Queenes pleasure. 1. H. 4. 6. But the Marchants which doe buy the same Cloth to carry out of the Realme, may solde them together, for the more easie carriage of them. 13. R. 2. 11.

No Cloth shal
be solde before
the Aulneger
see be payde.

Cloth made
within the said
Countie onely
shalbe sealed.

94 **C** No Aulneger, Sealer, or keeper of the Seale appointed for the Sealing of Cloth, shall Seale any whole Cloches, halfe Cloches, Strapes, or Kerseys, but such as shall be onely made within the Countie, Citie, Borough or Towne where he shall be Deputed Aulneger, Sealer or keeper, vpon paine to forfait to the Queene for euery such whole Cloth contrary Sealed, iii. li. vi. s. viii. d. for euery halfe Cloth xxx. s. iiii. d. for euery Strape xx. s. and for euery Kersey x. s. i. R. 3. 8. S. 4. and 5. D. and 9. 7.

No cloth sold
before the Aul-
neger & owner
haue set their
seale & marke.

95 **E**uery Clothier putting any Cloches to sale, before they shall be Sealed by the Aulneger of the said Countie, where any of them be made, or before the said Clothier hath wouen his seuerall marke in the said clothes, and hath set his Seale of Lead concerning the length of the same Cloches, shall forfait his Cloches to the Queene and Informer, to be recovered by A. J. &c. wherein no W. C. P. &c. And if the Aulneger of any Countie do seale any of the said Cloches with the Queenes Seale, vntill such time as they be ordered and Sealed with their contents in forme aforesayd, he shall lose his Office. 27. H. 8. 12. But all Cloth made to be sold within the Citie of Worcester, the Townes of Droitwich, Ewelham, Reddymister, and Bionisgrace, in the Countie of Worcester, shall be Sealed with the Seale of the Searchers there, and the owners shall not be compelled to put their owne Seales to any Cloches there made. And the Searchers shall haue for the Searching and Sealing of euery Cloth i. d. and not aboue. 25. H. 8. 18. 27. H. 8. 12.

No sealing of
tacked cloth.

96 **I**f any Aulneger, or Collector of the Subsidie of Cloches, doe set his Seale to any Cloth, hauing the pierces tacked and set together with theeedes, the same Cloth shalbe forfeited to the Queene, in whose hands so euer it be found. And also the Aulneger or Collector found guiltie, shal forfait his Office. 3. R. 2. 2.

Faultie Cloth
sealed.

97 **T**hough Cloth, through the default of the Carders, Spinners, or Weaues, doe proue either pursie, bandy, or squally, by warpe or woofe, or els happen to be euill buried, or wasted in the mill, or through the negligence of the Milman, or otherwise to be full of holes, milbrakes, or hooley, yet the Aulneger shall set his Seale to such Cloth, and the accustomed fees shalbe payde to the Aulneger, vpon paine of forfeiture of such whole Cloth, or the value thereof. 5. Co. 6. 6. 4. and 5. D. and 9. 7.

The Aulneger
gets fee.

98 **T**he Aulneger shall take for euery Cloth that is measured, which is of assise, of the seller, or, and of the halfe Cloth or for his Office and no more. And hee shall take nothing for Cloches which be lesse then a halfe Cloth, nor shall meddle with the measuring of any Cloth, but onely with the Cloches which are to be sold. And such Cloches, the which shalbe put to sale, before they be Sealed with the said Seale, shall be forfeited to the Queene &c. and seized into their hands by the Aulneger or his Deputie, or otherwise by the Bailie of the Towne where such Cloches not Sealed shal be found. 27. Co. 3. 4.

99 ¶ If the Aulneger or keeper of the Seale, doe refuse shew his Commission of his Office, to any person desiring the same, vpon the Sealing or measuring of any Broad Clothes, Straps or Kerseys, and that examined and duely prooued, he shal forfeit. xx. s. 4. Ed. 4. 1.

The Aulneger shall shew his Commission.

100 ¶ The Aulneger in Wales by himselfe, or his sufficient Deputie or Deputies, shall in all things to his Office appertaining doe and answere in euery case, according as euery other Aulneger, in the Realme of England ought to doe. And for the contrary exercising of the sayd Office, shal in euery case suffer, as by the Lawes and statutes is ordeined for Aulnegers vnder the Lord Treasourer of England. 34. H. 8.

Aulneger in Wales.

101 ¶ No person shall sell or put to sale within the Countie of Lancashire, or carry or cause to be carried out of the said Countie any kinde of clothes, Cottens, Frizes or Rugs, made within the sayd Countie to be solde, before the owner or maker of euery such Cloth, &c. shall put to the same one Seale of Lead, hauing the marke of euery such owner or Clothier, ingraued on the one side thereof, and the true length of euery such Cloth, Frize, Cotten or Rug, as it is found being wette, to be ingraued on the other side of the sayd Seale. And also the Queenes Aulneger of the said Countie Palantine for the time being, vpon triall of the weighe of euery such Cotten, Frize, and Rugge, shall fixe or cause to be fixed to euery such Cotten, &c. the Queenes Seale of Lead, hauing the Portcullis crowned, ingraued on the one side thereof, and the true weight of euery such Cotten, Frize or Rug to be ingraued, on the other side of the sayd Seale, vpon paine of forfeit, of all and euery such Clothes, Cottens, Frizes, and Rugs conueyed, caried, sent, solde, and put to sale, or to the intenc to be solde, being vnsealed contrary to the meaning of this Act, to the Queene and to such persons, as shall seile, or wil sue for the same Cloth, &c. to be recovered by R. J. &c. wherein no W. C. P. &c. Butchis Act shal not be prejudiciall vnto any Charter, or Libertie of any Borough, or corporate Towne within the sayde Countie Palantine of Lancashire, concerning the making and putting to sale of any woollen Cloth. 8. Eliz. 1. 2.

The owners marke set to Clothes in Lancashire.

The Aulneger's Seale.

102 ¶ The said Aulneger shall haue his lawfull Deputie within euery of the seuerall Townes of Manchester, Rochdale, Bolton, Blackboine, Berie, in the same Countie where the said Aulneger hath bene accustomed to haue his Deputie heretofore, there to be ready vpon lawfull request vnto him made without delay, to weigh euery of the sayd Cottens, Frizes, and Rugges, as shall be brought vnto him, and Sealed with the Seale of the owner or maker thereof, and to set to euery of them the Queenes Seale ingraued in maner and forme aforesayd, vpon paine of forfeiture of twentie shillings for euery packe of Cottens, Frizes or Rugges, Sealed by the sayd Aulneger or any of his sayd Deputies, before the same be weighed in forme aforesayde, to the Queene and Infourmer, to be recovered by R. J. &c. wherein no Wager, C. P. &c. And it shall be lawfull for the sayd

The Aulneger's Deputies.

Every person
good fees in
Lancashire.

Aulneger or his Deputie, to take of the owner or maker of every of the sayd
Clothes, Cottens, Frizes or Rugs, for the weighing and Sealing of eve-
ry packe of them, iii. d. and for every piece of such course Clothes, Cottens,
Frizes and Rugs, not amounting to a whole packe, ob. and the same to be
payed by the owner or bringer of the sayd Clothes at the waighing and sea-
ling of the same. 8. Eliz. 12.

Transporting
of Cloth.

103. ¶ No person, English, Denizen, or Stranger, shall transport or
cause to be transported into any of the parties beyond the Sea, any Cloth,
Kersey, Frize, or Cotten of the severall sortes before reticed in the Statute of
(5. Ed. 6.) vnlesse the Queenes Seale, or Aulnegers Seale of this Realme,
and the Seale of the owner or maker of the Cloth (declaring therein the
length of the Cloth as it shalbe in the water) be set vpon every such Cloth,
vpon paine to forf. every such Cloth lacking y same Seales or any of them,
or the value thereof, to the Q. & I. to be recovered by A. I. &c. wherein no
W. C. P. &c. 5. Ed. 6. 6.

Of what value
Cloth carried
ouer may be.

104. ¶ Every White woollen Cloth solde for foure pounds and vnder,
and every coloured Cloth so solde for thre pound and vnder, may be carried
beyond the sea there to be solde, at the pleasure of the buyers of the said Cloth
unbarbed, vnshorne, and vnrowed, any Act &c. notwithstanding. 27. H. 8. 13.
But no person shal carv or ship, or cause to be shipped any White woollen
Cloth, aboue the value of foure pound, or any Coloured cloth aboue the va-
lue of thre pound vnrowed, unbarbed, or vnshorne, to the intent to be con-
ueyed into the parties beyond the Sea, vpon paine of forf. of the same Cloth
or the value thereof, to the Q. and I. to be recovered by A. I. &c. wherein no
W. C. P. &c. 3. H. 8. 19.

Transporting
of woollen
parne, or cloth
not Fulled.

105. ¶ No person shall carv or cause to be carried beyond the Sea any
Woollen parne, or Cloth not Fulled, but the Woollen parne which shall be
wouen in this Realme, and also all Cloth therein made shalbe Fulled, & ful-
ly wrought within this Realme, before it be carried out of this Realme, vpon
paine of forf. of the very value of all such parne unwouen, & cloth not Fulled,
caried out of this Realme to the Q. and I. &c. 7. Ed. 4. 3. S. 101.

Transporting
of Cloth not
watered.

106. ¶ No person, Stranger nor other, shal conuey any Woollen cloth
ouer the Sea, vnlesse the same Cloth be fully watered, vpon paine of fl. s.
1. R. 3. 8. S. 101.

No Clothes
wrought be-
yond the Sea,
shalbe brought
into England.

107. ¶ No person shall bring or cause to be brought into the Realme of
England, Ireland, or Wales, any Clothes made in any other place then
within the sayd Realmes (Clothes taken by any of the Queenes liege peo-
ple vpon the Sea without fraude onely except) vpon paine of forf. of the
sayd Clothes, and further to be punished at the Queenes pleasure. 11.
Ed. 3. 3. 4. Ed. 4. 1. No any man vnder the estate of a Duke, Marques,
Earle and their children, and vnder the degree of a Baron, (except hee be
a Knighe of the Garter) shall weare in any part of his apparel any woollen
cloth, made out of the Queenes Dominions, except in Bonets onely, vpon
paine

Who may
weare Clothes
wrought be-
yond the sea.

paine of foſſ. of the ſame, and tit. x.iii. d. for every day that he ſhall weare the ſame, 24. H. 8. 13. S. Apparell 3.

108. ¶ For every ix. Clothes unwrought to be ſhipped or carried into any the partes beyond the Seas, contrary to the ſoyne of any ſtatute in force, by force of any licence, the parties that ſhall ſhippe or carrie the ſame, ſhall ſhippe and carrie over alſo one like wollen Cloth of like ſoyt, length, breadth, and goodneſſe, ready wrought, and dyed, by rowed, barbed, firſt courſed, and ſhoine, from the one end to the other, ſo that every tenth Cloth paſſing over the Seas in ſoyne aforeſaid, ſhall be dyed within this Realme, before the ſame ſhall be ſhipped or tranſported over, upon paine to foſſ. for every ſuch ix. Clothes ſo to be ſhipped or tranſported, contrary to the meaning of this Act, tenn pound to the Queene, and the maſter and wardens of the companie of Cloth workers, to the reliefe of the poore of the ſaid companie, to be recovered by A. J. &c. wherein no W. C. D. &c. But every ſuch tenth Cloth ſo to be tranſported ready wrought, ſhall not be accounted any ofſy Clothes permitted to be tranſported by force of ſuch licence, but that ſuch perſon as ſhall have ſuch licence may tranſport according to ſuch licence, the ſall number of clothes unwrought, mentioned in the ſame licence, over and above the number of ſuch tenth clothes, which they ſhall be compelled to ſhippe, and carrie over by force of this ſtatute, 8. Eliz. 6.

Clothes tranſported by licence.

109. ¶ No perſon ſhall ſhippe or carrie beyond the Seas, contrary to the ſoyne of any ſtatute heretofore made, nowe remaining in force, any Cloth commonly called Kentiſh Cloth, or Suffolke Cloth, made in the Counties of Kent or Suffolke unwrought and undyed within this Realme, that is to ſay, not rowed, barbed, firſt courſed and ſhoine, upon paine to foſſait for every ſuch Cloth ſo to be ſhipped or tranſported xl. s. to the Queene, and the maſter and wardens of the company of Clothworkers, to the reliefe of the poore of the ſaid company to be recovered by A. J. &c. wherein no W. C. D. And no licence for tranſporting of any Cloth, ſhalbe expounded to extend to any ſuch Kentiſh or Suffolke Cloth, made in either of the ſaid Counties to be tranſported, 8. Eliz. 6.

Kentiſh and Suffolke cloth ſhall not be tranſported unwrought, by any licence.

110. ¶ The foreſaid ſtatute of 5. Ed. 6. repealeth all and every article, claufe, or ſentence in any Act of Parliament, therefore made, concerning making, dying, dressing, preſſing, ſearching, or ſealing any of the kinds of Clothes, broad or narrow, white or coloured Kerſeyes, Fryzes, Rugges or Cottons, in the ſaid Act mentioned, and being repugnant and contrary to any article or ſentence in the ſaid ſtatute. And the ſtatute of 8. Eliz. 1. 2. repealeth all and every branch, claufe, ſentence, and article ſpecified and conteyned in any other actes of Parliament before that time made, concerning the ſealing and making of Lancaſhire Cottons, Frizes, and Rugges. And therefore conſider diligently if any ſtatute, article, branch, or ſentence of any ſtatute made before, either of the foreſaid ſtatutes, and in this

111. ¶

112. ¶

Dying. Dyers.

Quare.

this treatise expressed, be by the generall wordes of either of the said statutes repealed, as many other whole statutes and branches of statutes be, which here are omitted. But I suppose there is nothing repealed, which in this title of Draperie is conteyned, Attamen Quare.

That Aliens not being Denizens, shall make no Cloth, nor put any Wooll to worke to make Cloth. S. Aliens.

Dying. Dyers.

Logwood and
Blockwood
shalbe burned.

ALL Logwood, alias Blockwood, in whose hands soever the same shall be found, after the feast of Saint Michael the Archangel next ensuing, shall be forfeited, and openly burned by the authoritie of the Mayor, or other head Officer of the Citie, or Towne corporat, or of two Justices of Peace of the Countie where it shall be found. And no person shall dye or cause to be dyed any Cloth, broade Clothes, Kerseyes, Woolles, Wene-stones, Bayes, Cottons, Holeyarne, Hattes, Cappes, Flannelles, Wood-malles, Dorkadoes, Rashes, Buffings, Tust mockadowes, or any other thing whatsoeuer, with any of the said ware or stufte called Logwood, alias Blockwood, vpon paine that the Dyer of euery such seuerall thing so dyed, shall forfeite the value of the thing so dyed, to the Queene, and him that will sue for the same, by action, bill, plaint, or information in any Court of Record, in which suite no escoine, protection, wager, nor writte of priuiledge shall be allowed. And the partie offending, being thereof convicted, shall remaine in prison without baile or mainprie, till he haue satisfied the saue value. 23. Eliz. 9.

the manner
of the
advertisment
of the
of the
of the

More cloth shall
be coloured for
black, except it
be first ground
ed in wood.

2. **N**o kind of Cloth or Clothes, Kerseyes, Baies, Frizeadoes broade or narrowe, Hosen or ocher things being in the nature of Cloth, shall from hencefoorth be mathered for a blacke, except the same be first grounded with wood on ly, or with wood & nele, alias blew Inde, vntesse y^e Dadder be put in with Shomack, or Gallis. And no person shal die or cause to be died, any Cloth or Clothes, or other things abovesaid, of what kind or nature so euer, mathered for a blacke, not hauing a ground of Wood ouely, or of Wood and Nele, alias blew Inde, vntesse the Dadder be put in with Shomacke, or Gallis, vpon paine that the Dyer of euery such seuerall thing so dyed, shall forfeit the value of the same thing so dyed, to the Queene, and him that will sue for the same by A. B. P. or I. in any Court of Record, in which suite no E. P. W. nor writ of priuiledge shalbe allowed. And the partie offending, being thereof convicted, shall remaine in prison without baile or mainprie, till he haue satisfied the same value. Provided alwayes that it shall and may be lawfull to die al maner of gal blacke, Shomacke blacke, alias plaine blacke, wherein no Dadder shalbe vled, as heretofore lawfully hath bene done, this Act &c. notwithstanding. 23. Eliz. 9.

Gal blacke
and Shomacke
blacke except
ed.

A seale of lead
with the letter
M.

3. **E**uery Dyer, that shall dye any of the said blacke Clothes, Kerseyes, or Frizeadoes, mathered and not woaded, shall before he deliuer any of the same saoyth of his handes, first a seale of lead to euery of them, in which

Which the letter M. signifying mathered, shall be contained, vpon paine that euery Dyer offending to the contrary, shall forfeit for euery yard of the said Cloth, Karseyes, Bayes, or Frizeadownes, iii. s. iiii. d. And if any person shall sell any Cloth, Karseyes, Bayes, or Frizeadownes, mathered & not woaded, and shall not first giue notice to the buyer thereof, that the same is not woaded, shall forfeit also the double value of all such Cloth, Karseyes, Bayes, and Frizeadownes, as he shall so sell, which forfeitures shalbe to the partie that shall sue for the same in any Court of Record, by A. B. P. or J. wherein no C. M. or P. or. 23. Cl. 9.

1 In what maner woollen Cloth dyed, shall be vsed in the dying. See Draperie 71.

2 That none that vse the dying of Sayes, Worstedes, or Stamels, shall callender them, S. Worstedes. 3.

Durham.

The force of fines leuied before the Iustices of Assise at Durham, of Landes lying within the Countie Palentine of Durham, S. Fines. 12.

The force of inrolment of the bargaine and sale of any landes lying within the Bishoppe of Durham, S. Inrolments 4.

For proclamations vpon Exigents awarded against any dwelling within the Bishoppe of Durham, S. Exigent &c. 15. 16. 17. 18. 19. 20.

Eares.

Who soeuer shall maliciously, vnlawfully, and willingly cut, or cause to be cut off the eare, or eares of any the Queenes subiects, otherwise then by authoritie of lawe, chaunce medly, sudden assay, or aduenture, shall for. to the P. grieved treble damages, to be rec. by A. of trespassse, and to the Queene for a fine x. li. 37. Hen. 8. 6.

Ecclesiasticall persons, and liuings.

If any person Ecclesiasticall, or hauing Ecclesiasticall liuing, shall aduisedly maintaine any doctrine directly contrary to any of the articles comprised in a booke entituled (Articles &c. touching true religion) and being conuicted before the Bishop, Ordinarie, or the Queenes Commissioners in causes Ecclesiasticall, shall persist therein, and not reuoke his error, or after such reuocation, shall esteemes affirm such doctrine, such mainteining, or affirming, and persisting, or such esteemes affirming, shall be a lawfull cause, to depriue such person of his Ecclesiasticall promotions. And it shall be lawfull to the Bishop of the Dioces, or Ordinarie, or the said Commissioners, to depriue such persons so persisting, or lawfully conuicted of such esteemes affirming. And vpon sentence of depriuation pronounced, he shall be in deebe depriued, 13. Cl. 12.

2 No person shall be admitted to any Benefice with cure, except hee then

Cutting off
eares.

maintaining
doctrine a-
gainst the ar-
ticles.

The age of a
beneficed per-
son, and he shal
reade and sub-
scribe the ar-
ticles.

then be of the age of xxiij. yeeres at the least, and a Deacon, and shall first haue subscribed the said articles, &c. in the presence of the Ordinarie, and publicly reade the same in the parish Church of that benefice, with declaration of his vnsaigned assent to the same. And if any person to be admitted to a benefice with cure, doe not within two moneths after his induction publicly reade the said articles, in the Church whereof he shall haue cure, in the time of common prayer there, with declaration of his vnsaigned assent thereto, and be admitted to minister the Sacraments within one yeere after his induction, (If he be not so admitted before) he shall be immediately vpon euery such default (ipso facto) deposed, 13. Eliz. 12. And no person now permitted by any dispensation or otherwise shall retaine any benefice with cure, being vnder the age of xxi. yeeres or not Deacon at the least, or which shall not be admitted as is aforesaid, within one yeere next after the making of this Act, or within sixe moneths after he shall accomplish the age of twentie foure yeeres, on paine that such his dispensation shall be meere ly boide, 13. Eliz. 12.

The ministers
age and his
testimoniall.

3. ¶ None shall be made Minister, or admitted to preach or minister the Sacraments, being vnder y age of xxiij. yeeres, nor vntill he first hying to the Bishop of that Diocess, (from men knowne to the Bishop to be of sound religion,) a testimoniall both of his honest life, and of his professing the doctrine expressed in the said articles, nor vntill he be able to answer and render to the Ordinarie, an accompt of his faith in Latine according to the said articles, or haue a speciall gift and abilitie to be a preacher: Nor shall be admitted to the order of Deacon, or Ministerie, vntill he shall first subscribe to the said articles, 13. Eliz. 12. For the examination of the abilitie of a person presented to an Ecclesiasticall benefice, doth pertain to an Ecclesiasticall Judge, Articuli cleri. Anno nono Edwardi 2. 13.

Examination
of a persons
abilitie.

Benefice of the
value of xxx. li.

4. ¶ None shall be admitted to any Benefice with cure, of or aboue the value of thirtie pound yeerely in the Queenes booke, vntill he shall then be a Bachelor of Diuinitie, or Preacher lawfully allowed by some Bishop within this Realme, or by one of the Vniuersities of Cambridge or Oxforde, 13. Eliz. 12.

Benefice of
the value of
xxx. li.

No lapse but
after notice.

5. ¶ All admissions to Benefices, institutions, and inductions to be made of any person contrary to the forme, or any prouision of this Act, and al collations, dispensations, qualifications and licences whatsoever to be made to the contrary hereof, shall be meere ly boyd in lawe, as if they neuer were. Provided alwaies, that no title to conferre or present by Lapse, shall accrue vpon any deprivation ipso facto, but after sixe moneths after notice of such deprivation given by the Ordinarie to the Patron, 13. Eliz. 12.

Beases and
other assurances
of bishops
laudes.

6. ¶ All giftes, grauntes, feoffements, fines, and other conueyances or estates, from the first day of the Parliament begonne, 24. Januar. Anno Domini 1558. had, made, done or suffered, or to be had, made, &c. by any Archbishop, or Bishop, of any honours, castles, manors, landes, tenements, or other hereditaments,

rebitaments, being parcell of the possession of his Archbishoppicke or Bishoppicke, or vnited, appertaining, or belonging to any of the same, to any person (other then to the Queene, her heires or successors) whereby any estate should or might passe from the same Archbishop or Bishop, other then for terme of twentie one yeeres, or thre liues, from such time as any lease, graunt, or assurance shall begin, and whereupon the olde accustomed yeerely rent, or moze, shalbe reserued payable yeerely, during the said terme of twentie one yeeres, or thre liues, shalbe utterly void, any lawe, custome, &c. notwithstanding, 1. Eliz. a statute not printed.

7 **C** All leases, gifts, graunts, ffeoffments, conueyances or estates to be made, had, done, or suffered, (vz. from 2. Aprilis Anno Dom. 1571.) by any Master and Fellowes of any Colledge, Deane and Chapter of any Collegiat or Cathedrall Church, Master or Gardein of any Hospitall, Parson, Vicar, or any other, hauing any Spirituall or Ecclesiasticall liuing of any houses, lands, tithes, tenements, or other hereditaments, being parcell of the possessions of any such Colledge &c. or any way belonging to the same, or of any of them to any person &c. bodies politique or corporat, other then for the terme of xxi. yeeres, or thre liues, from the time of such lease or graunt made, whereupon the accustomed yeerely rent or moze shall be reserued, and yeerely payable during the said terme, or whereof any former lease for yeeres is in being not to be expired, surrendred, or ended within thre yeeres next after the making of any such new lease, shalbe utterly void, 13. Eliz. 10. 18. Eliz. 10. And euery band and couenant whatsoeuer made for renewing or making of any lease, contrary to the true intent aforesaid, shall be utterly void, 18. Eliz. 10. But this Act shall not make good any lease or other graunt made by any Colledge or Collegiat Church within Oxford and Cambridge, or else where, for moze yeeres then are limited by the private statutes of the same Colledge. Neither shall this Act extend to any lease hereafter to be made, vpon surrender of any lease heretofore made, or by reason of any couenant or condition contained in any lease heretofore made, and nowe continuing, so that the lease to be made, doe not containe moze yeeres, then the residue of the yeeres of the former lease nowe continuing, shall be at the time of such lease heretofore to be made, nor any lease rent then is reserued in the said former lease, 13. Elizabeth 10. And the President and Schollers of Saint John Baptists Colledge founded by Sir Thomas White Knight, Alderman of London, in the Uniuersitie of Oxford, may from time to time demise the manor of Fildie, alias Fildie, the Coppoldes and other appurtenances in the Countie of Bark. to Ralphe White, brother to the said Sir Thomas White, for the terme of foure score and nineteene yeeres, if the said Ralphe shall so long liue, and so to euery heire male of the said Sir Thomas successiue according to the forme of a lease thereof already made to the said Ralphe. And euery such lease so to be made, and euery couenant made or to be made for the performance of the same

Assurances made by Colledges, Cathedrall Churches, Parsons &c.

Colledges in Oxford and Cambridge.

New leases vpon surrender of olde and former covenants.

Ecclesiasticall persons, and liuings.

same shall be good in law, as if the said Act made in the said thirteene yeere had neuer bene made, any thing in this Act &c. notwithstanding, 18. Elizabeth 10.

Colledges &c.
may let cer-
taine lands for
fourtie yeeres.

8. ¶ But any of the persons, bodies politique or corporat aforesaid, may graunt, assure, or lease any houses belonging vnto them, being not their Capitall or dwelling house bled for their habitation, nor hauing ground belonging vnto them, aboue the quantitie of tenne acres, or any grounds to such houses appertayning, which bee situate in any Citty, Borough, Towne corporat, or Market Towne, or the Suburbes of any of them, in such sort as by the lawes of the Realme, and the seuerall statutes of their houses they may doe. So that no lease bee made in reuerſion, nor without reseruing the accustomed yeerely rent at the least, nor without charging the lessee with the reparations, nor for longer time then fourtie yeeres at the most. Nor any houses of the said Colledges, bodies politique &c. shall be aliened, vntill that in recompense thereof, there shall be before, with, or presently after such alienation, good, lawfull, and sufficient assurance made absolutely in fee simple, to such Colledges &c. and their successours, of landes of as good value, and as great yeerely rent at the least, as so shall be aliened, 14. Eliz. 1. 27. Elizabeth 11. to endure vntill the ende of the next Parliament.

Colledges may
not alien their
lands, except
they haue suffi-
cient & present
recompence.

Leases of Be-
nefices with
cure.

9. ¶ No lease made of any Benefice, or Ecclesiasticall liuing with cure, or any part thereof, and not being impropried, shall endure any longer, then while the lessee shall be ordinarily resident and seruing the cure of such Benefice without absence aboue rightie dayes in any one yeere, but euery such lease immediatly vpon such absence shall cease and be void, and the Incumbent so offending, shall for the same lose one yeeres profite of his said Benefice, to be distributed by the Ordinarie amongst the poore of the Parish, 13. Elizabeth 20. And after complaint made to the Ordinarie, and sentence giuen vpon any offence committed by the Incumbent, whereby hee shall, or ought to lose one yeeres profite of his Benefice, the Ordinarie with in two moneths after such sentence giuen, and request to him made by the Churchwardens of the same Parish, or one of them, shall graunt the Sequestration of such profite to such inhabitant or inhabitants with in the Parish where such Benefice shall be, as to him shall seeme meet, and vpon default therein by the Ordinarie, it shall be lawfull to euery Parishioner where the Benefice is, to retpne his Tythes, and likewise for the Churchwardens of the saide Parish to enter and take the profite of the glebe landes, and other rences and duties of euery such Benefice to be employed to the use of the poore as aforesaid, vntill Sequestration shall bee committed by the Ordinarie, and then aswell the Churchwardens as Parishioners shall peldre accompt of, and make payment to him or them, to whom such Sequestration shall be committed. And hee or they, to whom such Sequestration shall be committed, from time to time shall

Sequestration
graunted by
the Ordinarie.

Parishioners
may retpne
their tythes.

fully

justly and truly bestowe the saide profits of the full value thereof without fraude, to such uses as by the saide statute is appointed, upon paine of forfaiture of the double value of such withholden profits, to bee recovered in Ecclesiasticall Court, by the poore of the saide Parish, 18. Elizabeth 10.

10. **C** All bandes, contracts, promises and covenants made for suffering any person to enjoy any Benefice or Ecclesiasticall promotion with cure, or to take profits or fruites thereof (other then such bandes and covenants as shalbe made for assurance of any lease heretofore, viz. before the statute made) shall be to all intents adjudged of such force and no other wise, as leases made by the same persons of such Ecclesiasticall promotions with cure, 14. Eliz. 11. 31. Eliz. 10.

Bands, contracts &c. for the enjoying of benefices.

11. **C** Every person allowed by the lawes of this Realme, to have two Benefices, may demise one of them, upon which he shall not be ordinarily resident, to his Curate, which shall serve the cure for him, which lease shall endure no longer then during such Curates residence, without absence above fourtie dayes in any one yeere, 13. Eliz. 20. 31. Eliz. 10.

Demise of a benefice to a Curate.

12. **C** All leases, bandes, promises, and covenants, of and concerning Benefices, and Ecclesiasticall livings with cure, to be made by any Curate, shall be of no other, nor better force, validity or continuance, then if the same had bene made by the beneficed person himselfe, that demised the same to his Curate, 14. Eliz. 11. 31. Eliz. 10.

Bands, contracts &c. made by a Curate.

13. **C** All chargings of Benefices with cure, with any pension, or with any profite out of the same, to be peeled or taken, (other then rents reserved upon leases to be made according to the meaning of this Act) shall be void, 13. Eliz. 20. 31. Eliz. 10. to continue to the end of the next Parliament now next ensuing.

Charging of benefices.

14. **C** No spirituall person shall take to farme to himselfe, or to any person to his use, of the lease or graunt of the Queene, or any other person or persons, by letters Patents, Indentures, Writings, by word or otherwise by any maner of meanes, any manors, landes, tenements, or other hereditaments for terme of life, yeeres, or at will, upon paine to forfeite for every moneth that he, or other to his use, doe occupie such farme by reason of any such graunt or lease, ten pound to the Queene and Informer, to be recovered by action, information &c. wherein no wager, essoine, protection &c. except the temporalties of an Archbishoppe, or Collegiall, Cathedral, or Commentall Church, and landes to be letten upon a trauesers tendered after an office found concerning his frecholde, and a dwelling house having but onely Orchards and Gardens in any Citie, Borough, or Towne, for his owne habitation, All which, a Spirituall person may take to farme (but by the saide dwelling house hee shall have no colour of Nonresidence,) And also except Presidents, and Masters of Colledges, having landes, or other pecerly profits in the right of their houses, under, and

Taking of farmes.

not

not aboue eight hundred markes, which may occupie as much of their demesne lands, see farmes, and farmes to their most profit for the onely maintenance of their householdes, as they or any of their predecessors at any time by the space of an hundredth yerres before the making of this Act, might haue done. And all spirituall persons hauing landes or other possessions in the right of their houses, aboue the peerele value of eight hundred markes, may keepe, and retaine in their occupation and manurance, as much of their said landes and other possessions, as shall be necessarie and sufficient for pasturage of their cattell, and for tillage of corne, to be employed and spent for the onely maintenance and keeping of their householdes and hospitalities without fraud or couin, 21 Hen. 8. 13. Whether a lease made to a spirituall person, or to any other to his vse for terme of life, yerres, or at will, of any lands or whereof he taketh the profit &c. be void by this statute or not, See Statute, and Quære V. Dyer, Fol. 358. That the lease is not void.

Quære.
Buping and
selling.

¶ 15 If any spirituall person doe by himselfe; or any other for him to his vse, bargaine and buy to sell againe for gaine, in any Markets, Faires, or other places, any manner of Cattell, Corne, Leade, Tyme, Hides, Leather, Tallowe, Fish, Woolle, Wood, or any manner of vitaille or marchandize, of what kinde so euer they be, he shall forfait the treble value of the things so bought to sell againe, to the Queene and In former, to be recovered by action, information, &c. wherein no W. C. P. &c. And also the said bargaine and contract shall be utterly void. But a spirituall person which without fraude byeth any Horses, Cartels, Goods, &c. with onely intent at the buying thereof to employ the same to the necessarie apparell of himselfe, his seruants, or house, or for the onely occupying, or manuring of his glebe or demesne landes annexed to his Church, or for the necessarie expences of his household, and after the buying, or exercise thereof, misliketh the same; that they should not be good, profitable and conuenient for any of the purposes abovesaid, for which they were bought, then he may lawfully bargaine and put them away. And also other spirituall persons not hauing sufficient glebe or demesne landes in their owne handes, in the right of their Churches, Houses, &c. for pasturing of Cattell, or for increase of Corne, for the onely expence of their householdes, or for their carriages and iourneys, may take in farme other landes, and buy and sell Corne and Cattell for the onely manurance, tillage, and pasturage of such farmes, so that the increase thereof be alwayes employed for the onely expences in their householdes, and not to buy and sell againe for any other commoditie, but onely the ouerplus of such Corne and Cattell aboue the expences of their householdes, if any such shall happen to be bredde and increased thereof without fraude or couin, 21 Henrie 8. 13.

In what cases
spirituall persons
may take
lands in farme

A spirituall person
that not occupie
a parsonage or vicarage
in farme.

¶ 16 If any spirituall person beneficed with cure, doe occupie by himselfe, or any other to his vse, any Parsonage or Vicarage in farme of the lease or graunt of any other person, or take any profite or &c. out of such farme,

farme, he shall forsaite fourtie shillings for euery weeke, that he or any to his vse shall occupie any such farme. And also shall forsaite tenne times the value of such profite or rent which hee shall take out of any such farme, to the Queene, and Informer, to be recouered by A. J. &c. wherein no W. E. P. &c. 21. H. 8. 13.

17 ¶ If any spirituall person shall haue, vse, or keepe by himse lfe or any other to his vse or commoditie any Tanne house to be occupied to his vse or commoditie, or any Bue house to any other intent then onely to be spent and occupied in his owne house, he shall forsaite for euery moneth so vsing or occupping any of the said mysteries x. li. to the Q. and J. to be recouered by A. J. &c. wherein no W. E. P. &c. 21. H. 8. 13.

A spirituall person shall not keepe a Tanne house or Bue house.

18 ¶ If any person hauing one benefice with cure of soule, being of the peere ly value of eighr pound or aboue, doeth accept another with cure of soule, and be instituted and inducted in possession of the same, then immediately after such possession had thereof, the first benefice shalbe adiudged in the law to be void: And euery Patron hauing the aduowson thereof, may present another, and the presentee shall haue the benefice of the same, as though the Incumbent had died or resigned. But no Deanerie, Archdeaconrie, Chauncellozship, Treasozership, Chauntership, or Prebend in any Cathedral or Collegiat Church, nor Parsonage that hath a Vicar endowed, nor any benefice perpetually appropriate, be taken vnder the name of a benefice with cure of soule. 21. H. 8. 13.

Pluralities,

Which shall not be said benefices with cure of soule.

19 ¶ But all spirituall men of the Queenes Counsell may purchase licence or dispensation, and take, receiue, and keepe three Parsonages or Benefices with cure of soule. And all other spirituall men not swoyne of her Counsell which be Chapleines to the King or Queene, Prince, Princess, or to any of the Kings children, brethren, sisters, vncles or aunes, may purchase licence or dispensation, and receiue and keepe two benefices with cure of soule. And euery Archbishop may haue eighr Chapleines, euery other Bishop sixe, euery Duke sixe, euery Marques & Earle five, euery Viscount foure, the Chauncelloz of England three, euery Baron and Knight of the Garter three, euery Duchesse, Marquesse, Countesse, Baronnesse, (being widowes, or which haue taken any husband) vnder the degree of a Baron two, the Treasourer and Comptroller of the Queenes house two, the Queenes Secretarie two, the Deane of the Queenes Chappell two, the Queenes Amner two, the Master of the Rolles two, the chiefe Justice of the Kings Bench one, the Warden of the five Portes one Chapleine, euery of which Chapleines may purchase licence, and receiue, haue, and keepe two Parsonages or Benefices with cure of soule. But the Chapleines so purchasing, receiuing and keeping Benefices, with cure of soule, be bound to haue and exhibite, where neede shall be, letters vnder the signe and seale of the Queene, and other their Lord and Master, testifying whose Chapleines they be, or else not to enioy any such pluralitie of benefices. And if any

These may haue pluralities by their licence.

Exhibiting letters vnder their Lordes seales.

Ecclesiasticall persons, and liuings.

**aduancing
moe Chap-
leines then is
allowed.**

person to whom any Chapleines be limited by this Act, shall by colour thereof, aduance any spirituall person, aboue the number to him appointed, to receiue any moe benefices with cure of soule, then is before limited, then the spirituall person so aduanced aboue the said number, shall incur the penaltie contained in this Act, 21. H. 8. 13.

**Pluralities
by dioc. or
degree.**

20 ¶ Every brother, or sonne of any temporall Lord borne in wedlocke, may purchase licence, or dispensation, and receiue, haue, and keepe as many benefices with cure, as the Chapleines of a Duke or Archbyschop, and euery brother and sonne of a Knight borne in wedlocke, and euery Doctor and Bachelor of Diuinitie, Doctor and Bachelor of lawe Canon, which be admitted to the said degrees by any of the Uniuersities of this Realme, and not by grace onely, may purchase licence, and take &c. two benefices with cure of soule, 21. H. 8. 13.

Suffragans.

And all Suffragans which shall exercise the said office of Suffragans by commission of the Bishop, may haue two benefices with cure, 26. H. 8. 14. 1. Eliz. 1. But the said libertie giuen to any of the persons aforesaid to purchase licence, or dispensation, and receiue and keepe moe benefices then one, shal be vnderstanded, to extend in number to no moe benefices with cure of soule then is aboue limited, Saving that y^e Queene may giue to any of her Chapleines being spirituall persons, what number of benefices or promotions spirituall she will. And also she may graunt licence to any of them for Non residence, and the said Chapleines may accept the same, without incurring any penaltie, 21. H. 8. 13.

**Queenes
Chapleines.**

Residence.

21 ¶ Every spirituall person promoted to any Archdeaconrie, Deanrie, or dignitie in any Cathedrall Church, or other Church conuentuall, or Collegiall, or being beneficed with any Parsonage, or Vicarage, shall be personally resident and abiding in, at, and vpon his said dignitie, Prebend, or Benefice, or at one of them at the least. And if any such spirituall person do not keepe residence at one of his said Dignities, Prebend or Benefice, but absent himselfe wilfully by the space of one moneth together, or by the space of two moneths to be accompted at seuerall times in any one yeere, and make his residence and abiding in any other places by such time, then he shall forfeit for euery such default tenn pound to the Queene and Informer, to be recovered by action, information &c. where in no wager, essoine, protection, &c. 21. H. 8. 13.

**Who may be
discharged of
residence, and
by what
means.**

22 ¶ The Statute of Non residence shall not extend, nor be prejudiciall to any spirituall person being in the Queenes service beyond the Sea, nor to any person going to any pilgrimage, or holy place beyond the Sea, during the time of their service and pilgrimage, and going and returning home, nor to any scholler vnder the age of fourtie yeere being conuersant and abiding for studie, (without fraude) at any Uniuersitie within this Realme or without, 21. H. 8. 13. So that the said Scholer be present at the ordinarie lecture, aswell at home in their houses as in the common Schooles, and in his proper person keepe Sophismes, Problemes, Disputations, or other exercises

exercises of learning, and be opponent, and respondent in the same, according to the ordinances and statutes of the Universities where he. Nor to any Scholer of, or about the age of fourtie yeeres, being conuersant in any of the said Universities, which is Chauncelloz, vice Chauncelloz, or Commissarie of any of the said Universities, or Warden, Deane, Prouost, President, Rector, Master, Principall, or other head Ruler of a Colledge, Hall &c. or Doctor of the Chaire, or reader of Diuinitie in the common Scholes, or reader of any common lecture in Diuinitie, lawe Ciuill, Physicke, Philosophie, Humanitie, or any of the liberall sciences, or common Interpreter or teacher of the Hebrew, Chaldee, or Greeke tongue in any Colledge or other place of the said Universities, Nor to any person about the age of fourtie yeeres, which shall resort to any of the said Universities to proceede Doctor in Diuinitie, lawe Ciuill, or Physicke, for the time of his proceeding and executing of such Sermons, Disputations, and Lectures, which by the Statute of the Uniuersitie he is bound vnto for the said degree, 28. Hen. 8. 13. Neither shall this Statute extend to any Chapleines of the King, Queene, Prince, Princess, King or Queenes children, brethren or sisterne, nor to any Chapleine of any Archbishop, Bishop, Spirituall or Temporall Lord of the Parliament, Duchesse, Marquesse, Countesse, Vicountesse, Baronesse, (being widowes, or married againe &c.) Lord Chauncellour, or Treasourer of England, the Queenes Chamberlaine, or Steward of her Household, or of the Treasourer or Comptroller of the Queenes House, nor to any Chapleine of any Knight of the Garter, chiefe Justice of the Kings Benche, Warden of the five Portes, Master of the Rolles, the Queenes Secretarie, Deane of the Queenes Chappell, or of the Queenes Amner, attending dayly in the household of the foresaide persons, during the time that any such Chapleine shall abide and dwell in any of the saide households, 21. Henrie 8. 13. Neither shall this Statute of Non residence bee prejudiciall to any one Chapleine of any of the Judges of the Kings Benche, or of the Common pleas, of the Chauncellour, or chiefe Baron of the Eschequer, of the Queenes Atturney, or generall Solicitor. But euery of them may haue one Chapleine in his house, or attendant on his person, hauing one benefice with cure of soules, which may be absent and not resident, 25. Hen. 8. 16. Neither doth this Statute extend to any one Chapleine of the Chauncellour of the Duchie of Lancaster, or of the Master of the Queenes Wardes and Liveries, or of the Treasourer of the Queenes Chamber, or of the Groome of the stoole. Euery of which may retain singularly in his house, or attendant vnto his person one Chapleine, hauing one benefice with cure of soule, which may be absent from his benefice and not resident, 37. H. 8. 28. Neither shall this Statute of Non residence be prejudiciall to the Master of the Rolles, or Deane of the Arches, nor to any Chauncellour or Commissarie of any Archbishop, or Bishop, nor to as many of the twelve Masters of the Chancery, and twelve Advocates of the

Ecclesiasticall persons, and liuings.

Archies as be spirituall men, during the time they shall occupie their roomes, noz to any spirituall person, which shall by iniunction of the Loyd Chauncellour or Queenes Counsell be bound to daily apparance, to answer the law, during the time of such iniunction, 22. Hen. 8. 13. And the residence of him which shalbe Suffragant ouer the Dioces, where he shal haue commissi-
 sion, shall serue him for his residence as sufficiently, as if hee were resipene
 vpon any other his benefice, 26. H. 8. 14. 1. Cl. 1.

These Chap-
 leines must
 sometime re-
 sozt to their
 Cure.

23. ¶ If any Chapleine of the Chauncellour of the Duchie of Lanca-
 ster, of the Pastur of the Wardes and Liveries, of the Treasourer of the
 Queenes Chamber, or of the Groome of the stoole, which is licenced to be
 absent and not resident vpon his benefice, doth not repaire two times in
 euery peere at the least to his benefice and cure, and there tarie eight dayes
 at the least at euery time, to visite and instruct his cure, he shall forfait p. l. s.
 for euery time so failing, to the Queene and Informer, to be rec. by A. J. &c.
 wherein no M. C. P. ec. 33. H. 8. 28.

First frutes.

24. ¶ If any person being elected, perfected, presented, nominated, col-
 lated, or appointed to any Archbishopricke, Bishopricke, Colledge, Hospitall,
 Archdeaconrie, Deanery, Priouostshippe, Prebend, Parsonage, (excee-
 ding the yeerely value of tennne markes, after the value vpon the recordes
 and bookes of rates and values, for the first frutes and cenths remaining in
 the Eschequer) Vicarage (exceeding the yeerely value of tennne pound af-
 ter the same rate) or other dignitie, benefice, office, or promotion spirituall
 within any of the Queenes Dominions, (the Deane and Canons of the
 Chappell of Saint George within the Castle of Windsor, and all the pos-
 sessions and hereditaments of the same Chappell, the Vniuersities of Cam-
 bridge and Oxford, and certayne Colledges and Halles therein, and the
 Colledges of Eton and Winchester except) doth not befoze the actuall or
 reall possession, or medling with the profits thereof, satisfie, content, and
 pay or compound, or agree to pay to the Queenes vse, at reasonable dayes
 vpon good suerties, the first frutes, reuenues, and profits for one yeere of
 the said dignitie or promotion spirituall (which yeere shall beginne and be
 accompted immediatly after the vacation or auoydance of the said promotion
 28. Hen. 8. 11.) and is thereof comict, by presentment, verdict, confession or
 witnesse, befoze such as haue authoritie to compound for the said first frutes,
 he shalbe taken an intruder vpon the Queenes possession, and he, his execu-
 tours or administrators shall pay to the Queenes vse, for euery such offence,
 so much money as shall amount to the double value of the first frutes of the
 spirituall promotion for one yeere, wherein he shall enter and intrude be-
 foze the payment of the said first frutes or agreement for the same, 26. Hen.
 8. 3. 1. Cl. 4.

Obligations
 for first frutes
 in the nature
 and strength
 of a statute.

25. ¶ All writings obligatorie, taken for the payment of the said first
 frutes by any person depured to compound for y same, be of the same strength,
 qualite and effect, to all intences, as writings obligatorie made by any Lay
 person

person by authoritie of the Statute Staple bene. And no person shalbe compelled to pay for any writing Obligatorie to be made, for the payment of the said first frutes, aboue viii. d. nor for any acquittance for the receipt thereof, aboue liii. d. 26. H. 8. 3.

26 ¶ But every person named, presented, or by any meanes appointed to any dignitie or promotion spirituall, shall at his composition and entrie into specialitie for the payment of his first frutes, haue allowance, and deduction of the tenth part of the whole, out of the summe to be paid for the said first frutes, for the yeere wherein he shalbe first nominated, presented, or by any other meanes appointed to any such dignitie or promotion spirituall, according to the iust rate and taxation of the Tenth of every such promotion spirituall. And then he shall pay vnto the Queenes Maiestie, her heires and successors the said tenth part the said first yeere, 27. H. 8. 8.

27 ¶ If any Incumbent of any spirituall promotion chargeable to pay the first frutes, doth liue to the end of one halfe yeere next after the last auoydance of the said promotion, so as he hath, or without couin might lawfully haue receiued or enioyed the rentes or profittes of that halfe yeere, and before the end of the other halfe yeere then next following doth dye, or is lawfully euicted, remooued, or put from the said promotion spirituall, by iudgement in an action at the common lawe without fraud or couin, then hee, his heires, executors, administrators, and suerties, shall be charged but onely with the fourth part of the first frutes due to bee paid for his said promotion, and with no more of the said first frutes, any thing in this Acte, any bande or writing or other matter notwithstanding &c. If the Incumbent liue by the space of one whole yeere next after the last auoydance of the said promotion spirituall, and then before the end of one halfe yeere then next after shall fortune to dye or be lawfully euicted, remooued, &c. then he, his executors, or &c. shall be charged but onely with the moitie of the first frutes, &c. and with no more. If the Incumbent liue to the ende of one whole yeere and a halfe next after the last auoydance, &c. and then before the ende of sixe moneths then next following shall fortune to dye, or be lawfully euicted, &c. Then he or &c. shall be charged but onely with three partes of the first frutes of the same promotion spirituall in foure to bee deuided, and with no more. If the Incumbent doeth liue to the ende of two whole yeeres next after the last auoydance of the same his promotion spirituall, and not bee lawfully euicted, remooued, or put from the same &c. then hee, his heires, executors, administrators and suerties shalbe charged with the whole first frutes, 1. Eliz. 4.

28 ¶ Every Archbishop, Bishop, Archdeacon, Deacon, Prebendarie, Parson, Vicar, and other hauing any benefice or promotion spirituall, in England, or Wales, shall yeerely pay to the Queenes Maiestie, her heires, and successors, at the feast of the Nativite of our Lord, one yeerely rent or pension, amounting to the value of the tenth part of all the reuenues, rents,

The fees.

The tenth shalbe deducted fourth of first frutes.

The rate how by death or auiction the incumbent shall be discharged of the first frutes or part thereof.

Ecclesiasticall persons, and livings.

The Bishops
collectors of
tithes.

Hospital.
Schole.

The penaltie
for default of
payment of
the tenths.

The fruites
taken in the
vacation re-
stored to the
next incum-
bent.

farmes, tithes, offerings, and emoluments, and all other profites, as well spirituall as temporall, belonging to any of the said dignities or promotions, (which tenth every of them shall be charged to pay in the proper Dioces where they be, wheresoeuer their possessions & profites doe lye) And which tenth every Archbishop and Bishop is charged to leuie, collect, and receiue within his proper Dioces, as well in places exempt, as not exempt, and they, their executours and administratours, and the possessions of their Churches shall stand charged for the payment of such summes as they shall collect, and when any Sea is void, then the Deane and Chapter of the Cathedrall Church where &c. their executours, administratours and possessions shall be charged for the execution of this Act, within the said Dioces. But this Act doth not charge any hospital founded and vled, and the possessions thereof imploied to & for the reliefe of the poore, or any Schole, or the possessions of them with the payments of any tenths, or first fruites, 26. Hen. 8. 3. 1. Cl. 4.

29 ¶ If any summe of money being once due, by any incumbent, of any dignitie, benefice or promotion spirituall, charged to the payment of the said tenths, be reasonably demaunded after the feast of the Nativitie of our Lord God, at his dignitie or Church, by the Archbishop, Bishop, or such as shall be charged with the collection of any part of the said pension, or by any of their ministers, seruantes or officers, And the said Incumbent doeth not content and pay vnto the saide Archbyschoppe, Byschoppe, or other Ministers, every yeere peere at the request thereof, or else within fourtie dayes after at the surest: Then every Incumbent making such default, after the default certified into the Queenes Eschequer in writing vnder the seales of the Archbishop, Bishop, or such as be charged with the collection of the said tenth, shall be adiudged, depriued (Ipso facto) of that dignitie or Benefice onely, whereof such certificat shall be made, 26. Hen. 8. 3. 2. Edw. 6. 20. And the said Archbishop or Bishop making such certificat, (before or at the last day of May, 7. Edw. 6. 4.) shall be discharged against the Queene for such summe of money as the said incumbent should haue paid, 26. Hen. 8. 3. And also the said Archbishops, Bishops, and any of their deputies, and other accomptants authorized to accompt for them, vpon their accomptes of and for the said yeerely tenth, shall be discharged vpon their othes, of payment of such summes of money of the said annuall rent or tenth as they cannot lawfully leuie, 32. Hen. 8. 22. See Eschequer 2. That nothing shalbe taken of any person hauing charge with the collection of tenth for his accompt or Quietus est.

30 ¶ If any Bishop, Archdeacon, Ordinarie, or other person to his vse, doe receiue or take the fruites, tithes, oblations, commodities, reuenues, rents, profites, or casualties, comming, or growing, or belonging to any Archdeaconrie, Deanery, Prebend, Parsonage, Vicarage, Wardenship, Priouostship, or other spirituall promotion, benefice, dignitie, or office, during the vacation of the same, and vpon reasonable request made, doe not restore and pay

pay the same to the next Incumbent, being lawfully instituted, inducted, or admitted to such Archdeaconrie, Parsonage, or promotion, or both let. or interrupt the said Incumbent to have the same, Then he shall forsaie the creble value of so much, as he shall have receiued of the said frutes, or hath let. or interrupted the Incumbent to receiue and take of the said frutes, tithes, &c. to the Queene and the Incumbent &c. to be recovered by A. J. &c. where, in no W. E. P. &c. For every person presented, promoted, admitted, instituted, or inducted to any promotion spiriual, and his executors, shall have the tithes, frutes, oblations, and all other whatsoever reuenues, casualties and profites, certaine and vncertaine belonging to the said promotion, growing, rising, or coming, during the vacation of the same promotion, saving that if the first Incumbent haue sowed any part of his glebe landes, he may declare his Testament of the profite of the Cozne growing vpon the same. And also the Bishop, Archdeacon, Ordinarie, or their Ministers, may receive in their custodie so much of the tithes, frutes, and other commodities, as shall amount to pay to such person as hath serued the cure during the vacation, his reasonable stipend, and also for the gathering and leaping of the tithes, frutes, and profites rising and growing during the vacation. And also the yeere in which the first frutes shall be paid to the Queene, shall begin, and be accompted immediately after the auoydance or vacation of such benefice, or spiriual promotion, 28. H. 8. 11.

The Incumbents benefice & charge shall begin during the vacation.

31. ¶ An union or consolidation of two Churches in one, or of a Church and a Chappell in one, the one of them not being above the pecerly value of five pound as it is valued ac to the Queene in her Eschequer, & not distant from the other above one mile in any place within this Realme of England, may be had or made by the assent of the Ordinarie & Ordinaries of the Dioces where such Churches and Chappels stand, and by the assents of the Incumbents of them, & of all such as haue iust right, title, & interest, to the Patronages of the same, being then of full age. And such unions and consolidations made of two Churches in one, or of a Church and Chappell in one, shall be good and available in lawe to continue for ever united in one, in such maner and forme, as by writing vnder the seale of such Ordinaries, Incumbents, and Patrones it shall be declared, Alwayes saving to the Q. the tenthes and first frutes of all such Churches and Chappels as shall be united in one, according to such like rates as the same are now rated at in the Eschequer, 37. Hen. 8. 21. J. Eliz. 4.

Union of two Churches by the assent of the Patron, Ordinarie, and Ordinarie.

32. ¶ But all unions and consolidations to be made of any Church or Chappell, within any Citie or Towne corporat within England, without the assent of the Maiors, Sherifes, and Comminaltie of the Citie, or without the assent of such bodies corporat of other Townes corporat, where such Churches, Church or Chappell shall be, by the names of their corporations in writing vnder their common seale, shall be clearly void, 37. Hen. 8. 21.

And unions in corporat townes without consent of the corporations.

The Union as
uopbed upon a
competent li-
ving assured.

Appropria-
tion.

In what cases
trees may be
cut down in
Churchyards.

Recoverie and
comeriance in
a temporall
court of a spi-
rituall living.

Taking re-
ward for his
voyce in elec-
ting a Fellow,
Scholler, &c.

33 **P**rovided that where the inhabitants of any such poore Parish, or the more part of them, within one yeere next after the union of the same Parish, by their writing sufficient in the lawe, shall assure the Incumbent of the said Parish for the yerely payment of so much money, as with the summe that the saide Parish is valued at in the Exchequer shall amount to eyght pound, to bee payde yerely by the saide inhabitants to the saide Incumbent and his successors, then all such unions and consolidations to be made of any such poore Parish shall be voide. But this prouiso shall not extend to any union of any Church or Chappell made before the making of this Statute, 38. Hen. 8. 21. 1. Eliz. Anno 15. R. 2. and 4. Hen. 4. 12. It was ordeyned that in euery licence which should be made out of the Chauncerie to appropriate any Parish Church, it should be expressely conteyned that the Diocesan of the place where the appropriation of any such Church should be, should appoint according to the value of the Church, a convenient summe of money to be paid and distributed yerely of the seruices and profits of the same Church, to the poore parishioners of the same Parish in aide and maintenance of their livings. And that there should be also a Vicar ordeined by the Ordinarie which should be well and sufficiently endowed, so that hee might doe diuine seruice, instruct the people, and keepe hospitalitie there.

34 **F**or as much as the Churchyard is the soyle of the Church, and whatsoeuer is planted belongeth to the soyle, it must needes followe that those trees which bee growing in the Churchyard are to bee numbred amongst the goods of the Church, the which Lay men haue no libertie to dispose, But because those trees be planted to defend the foire of the Church from hurting the Churches, the Parsons of Churches shall not presume to cut them downe vnadvisedly, but when the Chauncell of the Church hath neede of necessarie reparations, Neither shall they be conuerted to any other vse, except the body of the Church doeth neede like repaire, in which case the Parsons of their charitie shall doe well to relieue the parishioners with the same trees, 35. Ed. 1. Ne rectoris prosteruant arbores in Cimiterio. This is not apely to be termed a Statute, but rather a request, counsell or aduertisement of king Ed. 1. Ideo quære for the validitie thereof.

35 **S.** Tithes 23. In all cases where any person hauing estate of inheritance, freeholde, terme or interest in any Parsonage, Vicarage, or other Ecclesiasticall profite made temporall, shall be wrongfully put out of the same, he may haue his remedie in a temporall Court by originall writte out of the Chauncerie, And also wittes of covenant, and other wittes for fines to bee leuied of Parsonages, Vicarages &c. shall be sued out of the Chauncerie, and iudgements giuen and fines leuied of the same be good and effectual in lawe.

36 **I**f any person or persons bodies politique or corporate, which haue election, presentation, or nomination, or voyce, or assent, in the choise, election, presentation, or nomination of any Fellow, Scholler, or any other person,

person to haue roome or place in any Churches Collegiat, Colleges, Schooles, Hospitals, Halls, or Societies; shall haue, receiue, or take any money, fee, reward, or any other profit directly or indirectly, or shall take any promise, agreement, covenant, bond, or other assurance, to receiue or haue any money, fee, reward, or any other profit directly or indirectly, either to him or themselves, or to any other of their or any of their friends for his or their voyce or voyces, assent or assents, or consents, in electing, choosing, presenting, or nominating any Officer Fellow, Scholler, or other person, to haue any roome or place, in any the sayd Churches, Colleges, Halls, Schooles, Hospitals, or Societies, then and from thenceforth, the place, roome or Office, which such person so offending, shall then haue in any the said Churches, Colleges, Schooles, Halls, Hospitals, or Societies, shall be voyde. And then aswell the Queene, her heires and successors, and enery other person and persons, or their heires or successors to whom the presentation, Donation, Gift, election, or disposition, shall of right belong or appertaine of any such of the sayd roomes or places of the sayd person offending as aforesayd, shall or may at their pleasure, elect, present, nominate, place or appoint, any other person or persons in the roome, Office, or place of such person or persons so offending, as if the sayd person or persons so offending then were naturally dead. 31. Cl. 6.

TO WHOMSOEVER
A CERTAIN
COLLEGE
JULIAN

37 ¶ If any Fellow, Officer, or Scholler of any the sayd Churches, Colleges, Schooles, Halls, Hospitals, or Societies, or other persons ha-
ving roome or place in any of the same, shall at any time hereafter directly
or indirectly, take or receiue, or by any way, deuise, or meanes, contract or
agree to haue or receiue any money, reward, or profite whatsoever, for the
feauing or resigning by of the same his roome or place for any other to be
placed in the same: then euery person so taking or contracting, or agreeing
to take or haue any thing for the same, shall forf. double the summe of money,
or value of the thing so receiued and taken, or agreed to be receiued or taken.
And euery person by whom or for whom any money, gift or reward as a-
foresayd, shall be giuen or agreed to be payed, shall be incapable of that
place or roome for that time or turne, and shall not be, nor had, nor taken,
to be a lawfull Fellow, Scholler, or Officer, of any the Churches, Col-
leges, Halls, Hospitals, Schooles, or Societies, or to haue such roome
or place there, But they to whom it shall appertaine at any time thereafter,
shall and may elect, choose, present and nominate any other person sic to be
elected, presented or nominated into the sayd roome or Fellowship, as if the
sayd person by or for whome any such money, gift, or reward, shall be giuen
or agreed to be payed were dead or had resigned and left the same. 31. Cl. 6.

Finning or tak-
ing of money
for resigning
a place.

TO WHOMSOEVER
A CERTAIN
COLLEGE
JULIAN

38 ¶ At the time of euery Election, Presentation, or Nomination of Fe-
lows, Schollers, Officers, and other persons to haue place in any of the said
Churches, &c. aswell this present Act, as the Orders and Statutes of the
same places, concerning such Election, Presentation or Nomination to be

At euery elec-
tion this sta-
tute & the Sta-
tutes of the
house shalbe
read.

had,

Ecclesiasticall persons, and liuings.

had, shall then and there be publickly read vpon paine that euery person in whom default thereof shall be, shall forfeite xl. s. The one moitie whereof shall be to him or them that will sue for the same, the other moitie to the vse of the said Church, Colledge, Hall, Hospitall, Schoole or Societie where such offence shall be committed, to be recouered in any her Maiesties Courtes of Record, by any person or persons, bodies politique, and corporat that will sue for the same by A. B. P. wherein no $\text{W. C. P. c. 31. Cl. 6.}$

Presenting or
collating to a
Benefice for
reward.

39. **C** If any person or persons, bodies politique or corporat, shall or doe for any summe of money, reward, gift, profit, or benefit, directly or indirectly, or for or by reason of any promise, agreement, graunt, bond, covenant or other assurance, of or for any summe of money, reward, gift, profit, or benefit, whatsoever, directly or indirectly, present or collate any person to any Benefice with cure of soules, dignitie, Prebend, or liuing Ecclesiasticall, or giue or bestowe the same, for or in respect of any such corrupt cause or consideration, then euery such presentation, collation, gift and bestowing, and euery admission, institution, inuesture and induction thereupon, shall be utterly voyde, frustrate, and of none effect in Law. And it shall and may be lawfull to, and for the Queene, her heires and successors, to present, collate vnto, or giue, or bestow, euery such Benefice, dignitie, Prebend, and liuing Ecclesiasticall for that one time or turne only, and all and euery person or persons, bodies politique and corporat, that from thenceforth shall giue or take any such summe of money, reward, gift or benefit, directly or indirectly, or that shall take or make any such promise, graunt, bond, covenant or other assurance, shall forfeit the double value of one yeeres profit of euery such Benefice, dignitie, Prebend, and liuing Ecclesiasticall to the Q. and J. to be recouered by A. B. J. wherein no W. C. P. c. 31. And the person so corruptly taking, procuring, seeking or accepting any such Benefice, dignitie, Prebend, or liuing, shall thereupon and from thenceforth be adiudged a disabled person in Law, to haue or enioy the same Benefice, dignitie, Prebend, or liuing Ecclesiasticall. 31. Cl. 6.

Admitting to
a Benefice for
reward.

40. **C** If any person shall for any summe of money, reward, gift, profit or commoditie whatsoever, directly or indirectly, other then for vsuall and lawfull fees, or for or by reason of any promise, agreement, graunt, covenant, bond, or other assurance, of or for any summe of money, reward, gift, profit or benefit whatsoever, directly or indirectly, admit, institute, install, induct, inuest or place any person in, or to any Benefice with cure of soules, dignitie, Prebend, or other liuing Ecclesiasticall: then euery such person so offending shall forfeit the double value of one yeeres profit of euery such Benefice, dignitie, Prebend, and liuing Ecclesiasticall to the Q. & J. to be recouered by A. B. J. wherein no W. C. P. c. 31. And thereupon immediatly from and after the inuesting, installation, or induction thereof had, the same Benefice, dignitie, Prebend, and liuing Ecclesiasticall shall be effsoones merely voyde, And the Patron, or person to whom the Aduowson, gift, presentation, or collation shall by Law appertaine, shall & may by vertue of this Act, present or collate vnto, giue,

give, and dispose of the same Benefice, dignitie, Prebend, or living Ecclesiasticall in such sort to all intents and purposes, as if the party so admitted, instituted, installed, invested, inducted, or placed, had bene, or were naturally dead, 31. El. 6. But no title to conferre or present by Layle, shal accrue vpon any voydance mentioned in this Act, but after five moneths next after notice given of such voydance by the Ordinarie to the Patron.

Layle.

Corrupt resigning or exchanging of a Benefice.

41. If any Incumbent of any Benefice with cure of soules, doe or shal corruptly resigne or exchange y^e same, or corruptly take, for, or in respect of the resigning or exchanging of y^e same directly or indirectly, any pension, summe of money, or benefice whatsoeuer, then as well the giuer as y^e taker of any such pension, summe of money or other benefice corruptly, shal lose double the value of the summe so giuen, taken or had to the D. & T. to be recovered by A. B. J. wherein no W. C. P. &c. 31. El. 6.

Ecclesiasticall penalties not restrained by this Act.

42. This act shal not extend to take away or restraine any punishment, paine, or penaltie, limited, prescribed, or inflicted by y^e Lawes Ecclesiasticall, for any the offences before in this Act mentioned, but the same shal remaine in force, and may be put in due execution, as it might be before the making of this Act. This Act, &c. notwithstanding. 31. El. 6.

Reward for making of Ministers in giving license to preach.

43. If any person or persons whatsoeuer, shal do or receiue or take any money, fee, or reward, or other profit directly or indirectly, or shal take any promise, agreement, covenant, bond, or other assurance, to receiue or haue any money, fee, reward, or any other profit directly or indirectly, either to him or them selues, or to any other of their or any of their friends (al ordinarie & lawfull fees only excepted) for or to procure y^e ordaining or making of any Minister or Ministers, or giuing any orders, or license or licenses to preach, then every person & persons so offending, shal for every such offence forfeit. x. li. and the partie so corruptly made Minister, or taking orders ten pound to the D. & T. to be rec. by A. B. J. wherein no W. C. P. &c. And if at any within six peres next after such corrupt entering into y^e Ministry, or receiuing of orders, he shal accept or take any Benefice, living, or promotion Ecclesiasticall, then immediatly from and after the induction, inuesting, or installation thereof, or thereinto had, y^e same Benefice, living, & promotion Ecclesiasticall shal be effectsoones meerey void. And the Patron or Parson to whom y^e Adowson, gift, presentation, or collation shal by Law apperteyne, shal & may by vertue of this act, present or collate vnto, giue, & dispose of the same Benefice, living, or promotion Ecclesiasticall, in such sort to all intents & purposes, as if y^e party so inducted, inuested, or installed had bene, or were naturally dead; any Law, ordinance, qualification, or dispensation to the contrary notwithstanding. 31. El. 6.

Preachers.

1. That Ecclesiasticall Parsons shall not be molested which are in Preaching or doing Divine seruice. S. Arrests. 1. Preachers. 1.

Coyne lawes.

2. That an Incumbent may declare his will of Coyne sown vpon his Glebe land. Sec Testaments. 21.

Common prayer.

3. What Ecclesiasticall persons shall forfait which doe not say Common Prayer or Minister the Sacrament, as they ought S. Sacraments. 2. 10.

Othe.

4. Which Ecclesiasticall persons shall take the Othe for the Queenes Supreme government ouer all estates, and vpon what paine, S. Q. 5. 6. 8. 10.

Ecclesiasticall persons, and livings;

- Queene.** 5 The punishment of an Ecclesiasticall person which compasseth to destroy or depose the Queene, or to leuie warre within the Realme, doe maintaineth that she ought not to be Queene. S. Queene. 12.
- Purueiours.** 6 That the goods of an Ecclesiasticall person shal not be taken by any of the Queenes Purueiours. S. Purueiours. 2.
- Alien.** 7 That no Alien shall take a Benefice within England without the Queenes license, neither any man occupie to his vse, nor that any Bishop shall meddle with the fruites of any Benefice giuen to an Alien. See Premunire. 2. 3. 4.
- Incontinencie.** 8 That Ecclesiasticall persons may be punished by their Ordinaries for Incontinencie. S. Incontinencie. 1.
- Constitutions.** 9 That the Clergie shall make no constitutions without the Queenes assent. S. Conuocation. 2.
- Apparell.** 10 What Apparell Ecclesiasticall persons may weare. See Apparell. 13. 14. 16.
- License.** 11 What an Ecclesiasticall person shall for, which giueth license to eate flesh to him that hath no neede. S. Fish dayes. 6.
- Fugitiue.** 12 What an Ecclesiasticall person shall lose which passeth the Sea without the Queenes license, and doeth not returne within sixe moneths after Proclamation. S. Fugitiues. 2. 3.
- Horses.** 13 Howe many Horses euery Ecclesiasticall person is chargeable to keepe. S. Horses. 10. 11.
- Sheepe.** 14 How many Sheepe Spirituall persons may keepe. S. Sheepe. 10.
- Force.** 15 For forcible entrie or forcible detaining of Ecclesiasticall livings. S. Force, &c. 2.
- Dilapidations.** 16 Concerning remedie for Dilapidations made by any Ecclesiasticall persons. S. Dilapidations. 1. 2.
- Distresse.** 17 In what fees of the Church a distresse may bee taken. See Distresse. 3.
- Disseison.** 18 For fresh suite by writ of Entrie, &c. after the disseison by Prelates. S. Age. 1.
- Lapse.** 19 Where title so present by Lapse shall not accrue to the Ordinarie, but after sixe moneths after notice. S. Lapse. 1.
- Mortmaine.** 20 Where it is Mortmaine for any Spirituall person to enter into landes and make a Churchyarde or buriall place thereof. See Mortmaine. 3.
- Assurance to Churches.** 21 What assurances of lands may be made to Churches, Chappels, Churchwardens, &c. in what sort, and for howe long time. See Mortmaine. 6. 7.
- Mortuaries.** 22 How much Ecclesiasticall persons, and their farmors shal take for Mortuaries, and of whom. S. Mortuaries.
- Vacation.** 23 The remedie where a disturber presenteth to a Church during the vacation. See Auowson. 1.

24 A confirmation of Ecclesiastical livings before assured to K.H.8. & K.Ed.6. S.Monasteries. 29.31.

25 What remedie a Parson of a Church shall haue to recover land or common of pasture, whereof hee or his predecesour was deforced, See Quod permittat.1.

Egyptians.

IF any person doeth willingly transport into England or Wales any persons commonly called Egyptians, or doeth sue for any letter, license, or passport for any of the sayd Egyptians to continue in England or Wales, contrary to this statute, he shall for. xl. li. to the D. and J. to be recovered by A. J. &c. wherein no W. C. J. &c. And also such letter, license, and passport shalbe voyde. 1. & 2. P. & P. 4.

Whiche over Egyptians or suing for license or passport for them.

2 If any persons called Egyptians being about the age of xiii. yerres, which shalbe transported into England or Wales, doe continue within the che same by the space of one moneth, or any persons being of the age of xiii. yerres, shall be seene in any company of the vagabonds calling themselves Egyptians, or counterfaiting, transfourming, or disguising themselves by their apparell, speech or other behaviour like unto Egyptians, and so shall continue, either at one, or severall times, by the space of a moneth, they shall be iudged felons. 1. and 2. P. & P. 4. 5. Eliz. 20.

It is felony for Egyptians to continue within this Realme a moneth.

1 That an Egyptian shall not haue his Clergie. S. Clergie. 11.

2 That the trial vpon arraignment of Egyptians shal not be per medietatem linguæ. See Iurors. 30.

Entre.

The dying seised of any disseisor, of, or in any Manor, lands, tenements, or other hereditaments hauing no right or title therein, the which with strength, and without title entred into the same, and wrongfully disseised the rightfull owners and possessor thereof, shall not be taken any such discent in the Lawe for to take away the Entre of any such person or persons, or their heires, which at the time of the same discent had good and lawfull title of Entre, into the sayd Manor, lands, tenements, or hereditaments, Except that such disseisor hath had the yeareable possession of such lands &c. whereof he shall so dye seised, by the space of five yerres next after the disseison therein by him committed without Entre or continuall clayme, by, or of such person or persons, as haue lawfull title thereunto. 32. P. 8. 33. V. Dyer. fol. 219.

He disseisor dying seised taketh away no title of Entre.

2 If those alienations whereof a writ of Entre had wont to be graunted, be past so many degrees, whereby that writ cannot be made according to the fourme befoze time vsed, the plaintifes shall haue a writte to recover their seison, without making mention of any degrees, to whose hands foruer by such alienacions the thing shall come. Marlbridge. 52. H. 3. 29.

Writs of Entre in the post.

1 Where

Where a writ of Entre is maintainable for the disseise or his heire, against the disseisor or his heire. S. Age. 1.

Error.

He in the reuersion shall haue a writ of Error & Retrait upon a Iudgement given against the particular Tenant.

If the tenant for terme of life, Tenant in Dowry, Tenant by Curtesie of England, or Tenant in Taile after possibilitie of issue extinct, be impleaded, and plead to an enquest, and lose by verdict, default, or in other manner, be to whom the reuersion of the tenements so lost pertaineth at the time of such Iudgement given, his heires and successour shall haue an Action by writte of Attaint, to Attaint the same Iurie, if he will assigne the same othe to be false, and also by writte of Error, if Error be found in the Record of such Iudgement, as well in the life of such Tenants that so doe lose, as after their death, And if such Iudgement Erronious be reuersed, or such false othe be found, the Tenant that did lose by the first Iudgement (if he be liuing) shall be restored to his possession of the tenements so lost with the issues in the meane time, and the partie pursuing, to the arrearages of the rent, if any be due of the same tenements, And if such Tenant be dead at the time of the Iudgement given, vpon such writts of Attaint and of Error, restitution of the sayd tenements shall be made to the partie pursuing, with the issues after the death of the sayd Tenant, together with the arrearages of the rent if any to him were due in the life of the Tenant. But although the Tenant which so did lose by Iudgement, be liuing, and the partie pursuing will alledge that the same Tenant was of Couin, and of the assent of the demandant which recovered to lose such tenements, yet restitution shall be made to the same partie pursuing with the issues and arrearages, Sauing to such Tenant his Accion by Scire facias, out of the same Iudgement so reuersed, or by writ of Attaint if he will trauele the Couin and assent, and not otherwise. 9. R. 1. 3. S. Recoueries. 5. if any Recouery be had by agrement of the parties, or by Couin against any such Tenant for terme of life, or against any other with vouchour ouer of any such Tenant, & same against him in the reuersion or remainder shall be voyde. 14. El. 8.

Reconery against tenant of life. Error in the Elchequer.

In all cases touching the Queene or other persons where a man complayneth of Error made in proces in the Elchequer, the Chancelour and Treasourer shall cause to come before them in any Chamber of Counsaile nigh the Elchequer, the Record of the proces out of the Elchequer, and taking to them the Iustices, and such other Sages as they shall thinke mete, they shall call before them the Barons of the Elchequer to heare their Informations and the causes of their Iudgements, and shall duely examine the matter. And if any Error be found, they shall correct it, and amende the roules, and after send them backe into the Elchequer thereof to make execution, as the cause requirerth. 3. 1. Ed. 3. 12. The not comming of the Lorde Chancelor and Lorde Treasourer or of either of them at the day of adiournment in any such suit of Error, depending by vertue of the sayd former statute.

tute shall not be any discontinuance of any such writ of Error. But if both the Chief Justices of either Bench, or any one of the sayd great Officers, the Lord Chancellor or Lord Treasurer, shall come to the Eschequer chamber, and there be present at the day of adiournment in such suite of Error, it shall be no discontinuance but the suit shall proceede in Lawe to all intents and purposes, as if both the Lord Chancellor and Lord Treasurer had comen and bene present at the day & place of adiournment. Provided alwayes that no Judgement shall be giuen in any such suit or writ of Error, vntill both the Lord Chancellor and Lord Treasurer shall be present thereat.

31. El. 1.

32. **W**here any Judgement shall at any time hereafter be giuen in the Court of the Kings Bench, in any suit or Action of debt, detinue, couenant, accompt, Action vpon the case, Eiectione firme, or trespassse, first commenced or to be first commenced there (other then such onely where the Queene shall be partie) the partie plaintife, or defendand against whom any such Judgement shall be giuen, may at his election sue forth out of the Court of Chauncerie, a speciall writ of Error to be deuised in the sayd Court of Chauncerie, directed to the chiefe Iustice of the sayd Court of the Kings Bench for the time being, commaunding him to cause the sayd Record, and all things concerning the sayd Judgement, to be brought before the Iustices of the Common Bench, and the Barons of the Eschequer, into the Eschequer chamber, there to be examined by the sayd Iustices of the Common Bench, and Barons aforesayd, which sayd Iustices of the Common Bench, and such Barons of the Eschequer as are of the degree of the Coyfe, or sixe of them at the least, by vertue of this present Act, shall thereupon haue full power and authority to examine all such Errors, as shall be assigned or found, in or vpon any such Judgement, and thereupon to reuerse or affirme the sayd Judgement, as the Law shall require, other then for Errors to be assigned or found, for or concerning the Iurisdiction of the sayd Court of Kings Bench, or for any want of forme in any writ, retorne, plaint, bill, declaration, or other pleading, procelle, verdict, or proceeding whatsoever: And after that the sayd Judgement shall be affirmed or reuersed, the sayd Record and all things concerning the same, shall be remoued and brought backe into y^e sayd Court of the Kings Bench, that such further proceeding may be thereupon, as well for execution as otherwise, as shall appertaine. 27. El. 8.

4. **A**nd such reuertall or affirmation of any such former Judgement, shall not be so final, but that the partie who findeth him grieved therewith, shall and may sue in the High Court of Parliament, for the further, and due examination of the sayd Judgement, in such sort as is now vsed vpon Erronious Judgements, in the sayd Court of Kings Bench. 27. El. 8.

5. **I**f the full number of the Iustices and Barons authorized by the sayd Act (of 27. El.) come not at the day or time of Retorne or continuance of any such writ of Error, it shall be lawfull for any three of the said Iustices

Judgements
giuen in the
Kings Bench,
examined and
affirmed, or
reuered by the
Iustices of the
Common
place, and Ba-
rons of the
Eschequer.

Erronious
Judgement ex-
amined in
Parliament.

That three
Iustices may
receiue writtes
and awarde
procelle,
and

Error. Escape.

and Barons at every of the sayd dayes and times, to receive writtes of Error to a ward proces thereupon, to make and prefixe dayes from time to time of and for the continuance of all such writtes of Error as shalbe there Returned, certified or depending. And the same shall be to these respects as good and available, as if all the Iustices and Barons authorized by the same Act were present. And the Iustices and Barons authorized by the sayd statute, may after that lawfully proceede in all those cases in such sort to all intents as they may doe in other cases mentioned in the sayd statute, any not coming of any the sayd Iustices or Barons notwithstanding. Provided neuerthelesse that no Iudgement shall be given in any such suite of Error, unlesse it be by such full number of the sayd Iustices and Barons as are in that behalfe authorized and appointed by the sayd Act. 31. Eliz. 1.

No Iudgement given but by six Iustices at the least.

Error sued in Parliament.

6 ¶ But the partie plaintife or defendand against whom any such Iudgement hath bene heretofore or hereafter shall be given in the said Court of Kings Bench may at his election sue in the High Court of Parliament for the reuerfall of any such Iudgement as heretofore hath bene vsuall or accustomed, any thing in this statute or in the sayd former Act to the contrary thereof notwithstanding. 31. El. 1.

1 That a writ of Error shall be sued in the Kings Bench of Erronious Iudgement given in the Marshalsey. S. Marshal. 5.

2 Where the defendand in writ of Error shall recover his costes and Damages. S. Damages. 4.

3 That a Iudgement given after Demurrer, shall not be reuerfed by writ of Error, for imperfection in writ pleading, &c. S. Demurrer. 1.

4 Where and for what causes a fine or recoverie may be reuerfed by writ of Error, and where not. S. Fines. 20, 21, 30, 31.

5 Where Erronious Iudgements given before the Iustices of the xij, Shires in Wales, shalbe redressed. S. Wales. 24.

Escape.

Escape of an accomptant.

¶ If the Shirife or Gaoler doe suffer any Chamberlaine, Baylife, servant, or other Receiver to goe at libertie, which is committed to prison by the Auditors of his accompt, by the common writte of Replegiare or otherwise, without his masters assent, and be thereof conuict, hee shall answer to the Master of such accomptant, the damages which hee hath received by the sayd accomptant, according as they may be prooued by the countrey, and he therefore shall haue an Accion of debt, and if the Gaoler be insufficient, his Superior that committed the Gaole vnto him, shalbe answerable by the same writ. West. 2. 13. Ed. 1. 11. S. Accomptant. 2.

Reimpyng of money for Escapes.

2 ¶ If the Sherife or any other doe take, or leue any thing for the Escape of any Felon, before it bee adiudged by the Iustice in Cite, hee shall restore to the partie, or him that payed it, as much as hee receiued, and to the Queene as much, Westm. 1. 3. Ed. 1. 4. for the Escape of Felons and

and Clerkes conuict shall be adiudged by the same Iustices and by their vicme lented; 31. Ed. 3. 14.

3 If the Warden of the Fleet, doe suffer any prisoner there being by Judgement at the suit of the partie to goe out of prison by Baile, Gaingrill, or Bailon, without agreeing with the partie at whose suit he is there (except it be by the Queenes writ or commandement) he shall lose his Office. And if the sayd Warden be attainted by due proces, the Plaintife shall haue his recouerie against him by Action of debt, wherein no P. re. 1. R. 2. 12. It seemeth by 7. H. 4. 4. that the Wardens of the prisons of the Marshalle, Kings Bench, and other prisons in Cities, Boroughs, and Townes, are chargeable accordingly, if they let any prisoners condemned goe at libertie.

A prisoner condemned goeth by Baile or Bailon.

1 Howe they shall be punished which doe procure the Escape of any person committed to prison by the Queenes commaundement. See Prison. 8.

2 That the Towne shall be amerced for the Escape of a Murderer. S. Murder. 1.

3 How an Escape of him which disturbeth a Preacher in his Sermon, shalbe enquired of, presented, and punished. S. Preachers. 3.

4 That Iustices of Peace haue authoritie to enquire of Escapes of felons. S. Iustices of Peace. 19.

Eschequer.

If a Clerke of the Eschequer make any writ or proces for to prooue that a debt of newe, which hath bene payde, and the tales thereof toynd and allowed in the sayd Eschequer, he shall lose his Office, and be imprisoned vntill he hath satisfied the partie so much as by the discretion of the Treasourer and Barons he is endammaged. 1. R. 2. 5.

Clerke making proces for debt which is payd.

2 If any Officer of the Eschequer doe take of any Archbyschop, Byschop, or other person hauing charge, with the collection and payment of the Tenth of Spirituall promotions, any reward or thing for making his account, or Quictus est, in the same Eschequer, or for anything pertaining to the same concerning the Tenth, he shall forfeit his Office, and make fine at the Queenes pleasure. 26. H. 8. 3.

Nothing shall be taken of him which payeth the Tenth.

1 That Collectors of dismes accompting in the Eschequer shall not be bound to answer to other mens bills exhibited against them there. S. Accomptants to the Q. 49.

2 The maner of reforming Erronious iudgements giuen in the Eschequer. S. Error. 2.

Eschetor.

If any person named, and certified into the Chauncery by the Lord Treasourer to be Eschetor, doe not within one moneth next after his letters patents

Within what time an Eschetor is appointed that take or receive the office.

O. i.

cents shall be offered unto him, take upon him the execution of the same Office, or els within the time aforesayd appeare in the Eschequer, and shewe a reasonable cause why he might not so to doe, he shall forfeit for every such default to the Queene twentie pound. 33. H. 8. 22.

An Escheator
shal not finde
an Office of
lands to the
value of v.li.
virtute officii.

2 ¶ An Escheator which shall sit onely by vertue of his Office to enquire of the tenure, title, or value of any lands, tenements, or hereditaments, being of the pecerly value of v.li. or above, and holden of the Queene without the Queenes writ directed to him for the same, shall forfeit v.li. for every time that he shall sit and make enquire to the contrary. 33. H. 8. 22.

The Escheators
fees when the
land doeth not
exceede v.li.

3 ¶ If any Escheator doeth take about the summe of xv.s. for the finding of an Office of any lands, tenements, or hereditaments, not exceeding the cleare pecerly value of v.li. vj. for the Escheators fee vi.s. viii. d. for the writing of the Office iii.s. iiij. d. for the charges of the Jurie ii.s. and for the Officers that shall receive the sayd Office in any Court of Record ii.s. he shall forfeit for every time so offending v.li. to the Q. and J. to be recovered by A. J. 33. H. 8. 22.

Offices returned
not found
or not sealed
by the Jurie.

4 ¶ If any Escheator, or Commissioner doeth returne, or put into any of the Queenes Courts, any Inquisitions, or Offices concerning lands, tenements, or hereditaments not found nor presented by the othes of twelve men, and indented, and by them sealed, the sayd Escheator or Commissioner shall forfeit for every such Office or Inquisition so returned a C.li. to the partie or parties grieved by any such Inquisition or Office. 1. H. 8. 8. 3. H. 8. 2.

Not sufficient
of freeholdes.

5 ¶ If an Escheator, or any other by vertue of any Commission doeth sit to enquire of lands, tenements or hereditaments, except he, or other to his vse, hath lands, tenements or hereditaments, of the pecerly value of fourtie marks above all charges, hee shall forfeite xx.li. (without he be an Escheator in a Citie, or Towne corporate, or made by some person having privilege thereunto, and except Escheators of the Counties Palantine of Lancaster and Cheshire) for any person being not sufficient of freeholdes may refuse to sit upon the same Commission, and vpon proces made against him out of the Eschequer shalbe discharged vpon his othe for non sufficiencie without fine or fee. 1. H. 8. 8. 3. H. 8. 2.

Every man
may give evi-
dence vpon an
Office.

6 ¶ If any Escheator or Commissioner will denie any person to give evidence openly in his presence to such enquests as shalbe taken before him for the finding of an Office, he shall forfeit xl.li. 1. H. 8. 8. 3. H. 8. 2.

The Escheator
shal receive an
office & deliver
the counters-
pane.

7 ¶ If an Escheator or Commissioner, or part of the Commissioners (after an enquest before him sworne to enquire of lands, &c. be ready to give their verdict and offer to present the same) doe not receive the same verdict without further delay, and also doe not deliver the counterspane of the Office or Inquisition by the Jurie found indented and Sealed by himselve, to the same Jurie, to the intent it may be delivered and rest in the possession of the first person of the sayd Jurie, the Escheator or Commissioner which so offendeth shall forfeite a C.li. to the J. grieved, to be recovered by A. of debt, and

and every of the Jurors Sworne which shall not receive the counterpane of the sayd Office indented and Sealed by the Escheator or Commissioner, or shall not suffer the same to red in the possession of the first man of the Jurie, shall forfeit. s. to the D. and T. to be recovered by A. of debt, wherein no W. C. p. er. 1. p. 8. 8. 3. p. 8. 2.

8. **I**f an Escheator doe exercise his Office by reason of one patent over one whole peer, or be made Escheator within three peeres after, then after the sayd peere ended his patent shall be void, except he be Escheator by patent or graunt in any Citie or Towne corporat, or in the Duchie of Lancaster or Cornewall, or in any Countie Palatine, or made by any person having authoritie by any privilege, prescription, or graunt to make Escheator. 1. p. 8. 8. 3. p. 8. 2. 14. Ed. 3. 8.

How long one shall be Escheator.

9. **I**f an Escheator doeth not take his enquest of Office by vertue of a diem clausit extremum, or any other writ within the month next after the delivery of the sayd writ unto him, (or if hee doe not take such enquests in good Townes and open places. 3. p. 8. 2.) or if he doe take privily or openly, by him selfe or any other aboute the summe of fourety shillings for the execution of any writ in one Countie, hee shall forfeite for every offence fourtie pound. 24. p. 6. 17. S. 34. Ed. 3. 1. 3. 6. Ed. 3. 1. 3. That if the Escheator doe not take his enquests in good Townes openly, and by honest men of good fame, and having sufficient in the same Countie, and by Indenture betwixt the Escheator and the Jurors, the same enquests shall be void, and the Escheator shall be two yerres imprisoned, and punished at the Quenes pleasure. But for these penalties Quare.

Within what time & where an Escheator shall take his enquest.

10. **I**f an Escheator or Commissioner doeth take any Office before him, and doeth not returne the same into the Chauncerie, or Eschequer within a moneth after the taking thereof, hee shall forfeite fourtie pound and also pay to the D. so much as hee is indammaged by not returning thereof. 8. p. 6. 16. 18. p. 6. 7. But if the Clerke of the Petre bagge of the Chauncerie, or his Deputie, or any other Officer there having authoritie to receive any such Office or Inquisition, to whose handes any such Office shall come, will not receive the same, and put it on the files, to remaine of Record, within three dayes after it be received, or offered to him, the Clerke shall forfeite for every default fourtie pound, and the Escheator or Commissioners shall be discharged of the foresayd forfeiture of fourtie pound. 1. p. 8. 8. 3. p. 8. 2. See Office. 4. 6.

Quare. Escheators fee. Within what time an Office shall be returned.

11. **I**f any Escheator or Commissioner doeth take any enquest of enquiry of any other persons, but of such as be returned and impanelled by the Sheriffe of the Countie where he is Escheator or Commissioner, hee shall forfeit. 11. li. 8. p. 6. 16. 18. p. 6. 7.

Enquest returned by the Sheriffe.

12. **N**o Escheator shall sell or let to farme his Office, nor shall make any Deputie but such for whom hee will answer at his perill. And the Escheator shall certifie the name of his Deputie or Deputies under his letters

Escheator Deputie.

Eschetor. Estretes.

potents to the Treasourer and Barons of the Eschequer within twentie dayes after Deputation made. And no Deputie shall take upon him to occupy the sayd Office except the Eschetor hath lands, tenements or rentes, to the value of twentie pound, upon paine of forfaiture for every offence fourtie pound to the Queene and Informer, to be recovered by A. of debt, where in no W. C. P. R. 12. Ed. 4.9. But the Eschetor himselfe shall not sit to enquire of lands or tenements, except hee hath lands to the value of fourtie marks. Et Quare if the Statute 1. H. 8. 8. 3. H. 8. 2. doe not therein take away the force of this Statute, S. 5.

13 Every Eschetor hath authoritie to enquire by the othes of twelve lawfull men of every offence done contrary to the Stat. provided 7. Ed. 6. to avoyde the great prices, and excesse of Wines. And every enquire and presentment taken by the othes of twelve men, shalbe of such force, as if it were taken in the Kings Bench. 7. Ed. 6. 5. S. Wines.

1 That Assise lyeth against an Eschetor which by colour of his office disseiseth any man, S. Assise. 4.

2 That an Eschetor shall have no fee, nor commit waste in the lands of the Queenes Wardes, S. Wardes. 23.

3 That Eschetors may enquire of counterfeitors of Waights, and punish them, S. Waights. 13.

4 For the Eschetors duetie concerning finding of Offices, &c. See Offices.

5 What Iurors shall be returned before the Eschetors or Commissioners, S. Iurors. 13.

6 Who shalbe Eschetors in the xij. Shires in Wales, who shall name them, their office, duetie, &c. S. Wales. 51.

Estretes.

Estretes shall be shewed to the party and retched.

If any Sheriffe or minister of his, having received the greene waxe to le-
lue the Queenes debts, doe not shewe to the partie indebted the Estretes
Sealed, and totte the same which is payd, but that the debt which in that soyt
is once payed, is another time demaunded of the partie, the said Sheriffe &c.
shal pay to the P. grieved, his treble dammages, and make fine to the Q. 42.
Ed. 3. 9. S. Accomptants to the Q. 45.

Rolls of Estretes shalbe made certaine.

2 The Judge (before whom any issues or amerciements be forfeited) shall charge the Clerke of the Court upon his othe, that he make the Rolles of the Estretes of such issues and amerciements distinctly by expresse worde of the cause of the losse, of the terme of the peere, the nature of the writ, and betwixt what parties such issues, &c. be lost. 7. H. 4. 3.

1 That Sherifes shall make no Estretes vntill two Iustices have had the viewe of them, which Estretes shalbe indented and the Iustices shall have one part, S. Shirifes. 14. 18. 20.

2 To every Estrete of Issues against a Iuror, his addition shall be put. S. Iurors. 34.

IF a writ of Excommunicato capiendo be awarded against any person being out of prison, within the Realme, of full age, of perfect memorie, and no married wife, with sufficient addition of the defendants name; degree, Countie, and dwelling place, (according to the Statute of 1. H. 5. 3.) And that in the significavit it be contained that the excommunication doeth proceede vpon some matter of heresie, refusing to haue his childe baptized, to receiue the Communion, or to come to Diuine seruice nowe vsed, or for errors in matters of Religion or Doctrine, nowe allowed in the Church of England: or for incontinencie, Usurie, Simonie, Periurie in the Ecclesiasticall Court, or Idolatrie, the Sherife or other Officer shall not be compelled to bring the body of such person named in the writ into the Kings Bench, but shall Returne the writ with the declaration briefly howe he hath executed the same. And if he doeth returne that the partie named in the writ can not be found within his Baylitwicke, Then the Iustices of the Kings Bench shall award a Capias against the foresayd person returnable in the same Court in the Terme time, two moneths, at the least next after the Teste thereof, with a Proclamation to be contained therein, that the Sherife or other Officer in the full Countie Court at the Generall Assise, Gaole deliuerie, or Quarter Sessions in the same Countie, shall make Proclamation at the least ten dayes before the returne of the Capias, that the sayd partie shall within five dayes next after peeble his body to the Sherifes prison, there to remaine as a prisoner. And if the sayde partie doeth not peeble himselfe to the prison according to the effect of the sayd Proclamation, he shal forfe. to the Queene ten pound. And then shall another Capias in like sort be awarded with the like Proclamation against the foresayd person, at which day if hee doe not peeble himselfe to the Sherifes prison, hee shall forfeit xx. li. And so Capias with Proclamations infinite shall be awarded with like paines, vntill the partie hath peebled himselfe. And when any person shall peeble his body to the Sherife or other Officer, vpon any of the sayd writs of Capias, Then he shal remaine in prison and custody of the Sherife or other Officer, without Baile Bailon, or mainprise, in such maner to al intents, as he should haue done if he had bene apprehended vpon the sayd writ, Sauing to Bishops and others hauing authoritie to certifie any person excommunicate, like authoritie to receiue the Submission, and satisfaction of the sayd person, and him to absolue, and the same to signifie into the Chauncerie, and there vpon to haue writts for the deliuerance of the person so absolued from the Sherifes prison, as they heretofore haue had, 5. El. 23.

¶ But if the offender against whom the sayd writ shall be awarded, shall not haue a sufficient and lawfull addition according to the sayd Statute 1. H. 5. Or if in the significavit, it be not contained, that the excommunication doeth proceede vpon some of the causes or offences aforesayd, then all paines and forfeitures limited against such persons by this Statute by reason of such writ of Excommunicato capiendo shall be voyde, and by way of

Original Record
Excommunicato
capiendo
Significavit

Proces in Ex-
communicato
capiendo.

Original Record
Excommunicato
capiendo

Excommunicato
deliberando

Places where
the Queenes
writ runneth
not.

pleading allowed to the p. grieved. 5. Cl. 23.
After a Significavit is in the Chancery of Record, the tenour of the same shall be sent by Mistris to the head Officers of such of the Countrey of Wales, of the Countie of Palatinate of Lancaster, Chester, Durham, and City, and in the five Portes, where the Queenes writ runneth not, and process of Capias, from thence not returnable into the Kings Bench, within whose Office of Jurisdiction the offender is resident. And thereupon every of the sayd Officers shall have like power to make process to every of the inferior Officers to whom Execution thereof doeth appertain, returnable before the Justices there, at their next Session of Court within two moneths next after the Teste thereof, so as in every degree they shall proceede in their Sessions and Courts against the offenders, as the Justices of the Kings Bench about are limited in Terme times to doe. 5. Cl. 23.

Excommunication for smiting, or laying violent hands in a Church or Churchyard. 3. 4.

Excommunication for disobeying the sentence of an Ecclesiasticall Judge in causes of Tithes. S. Tithes. 35.

That in the writ of Excommunicato capiendo there shall be an addition of the def. name. S. Addition. 2.

What the Sherife shall forsaite which maketh an untrue returne upon an Excommunicato capiendo. S. Returne of Sherifes. 9.

That Excommunication in the Plaintife or demandant in Attaine is a voyde plea. S. Attaint. 3.

Execution.

Execution by
Fieri facias, or
Elegit.

When a debt is recovered or confessed in the Queenes Court, or damages awarded, it is in his election which doeth pursue for such debt or damages, to sue a writ of Fieri fac. That is, that the Sherife shall leue so much of the lands and chattels of the debtor, or els an Elegit, viz. that the Sherife shall deliver unto him all the goods and chattels of the debtor, (saving his oxen and beastes of his plough) and the one halfe of his lands, untill the debt be leuied upon a reasonable price and extent, and if he be put out of the same lands, he shall recover by Assise of novel disseisin, and after by a writ of redress if neede be. West. 2. r3. Ed. 1. 18.

Execution of
things reco-
rded.

There shall be no process awarded by summons, attachment, Excoim, writ of land, and other solemnities of those things which be recovered before the Chancellor or Justices, and enrolled in the Rolles, as is used in bargain and Covenants made out of the Court, But those things which be found enrolled before them, which haue Record, or contained in any Rols, whether they be contracts, Covenants, Obligations, Services or customes knowledged, or any other thing enrolled, wherein the Queenes Court, without assent of Law and custome, may execute their authoritie, be of what force, that it shall not be needfull to plead for them, But if the knowledge be new,

or the fine leuied within a yeere, the plaintife shall haue a writ of Execution. And if the cognisance, or fine haue bene of long time, a Scire fac. shall be directed to the Sheriffe to warne the partie, against whom the complaint is made, to appeare before the Iustices at a certaine day, and shewe why Execution should not be made of that which is inrolled or contained in the fine. And if he appeare not at that day, or doe appeare, and can shewe nothing why Execution should not be awarded, the Sheriffe shall be commanded to Execute the things inrolled or contained in the fine. And in like sort shall the Ordinarie be commanded, in case where, *et. West. 2. 13. Ed. 1. 45.*

¶ If any such lands, tenements, or hereditaments, as shall be had and deliuered to any person in Execution vpon a Iudgement giuen for him, of his debt or dammages vpon a Statute marchant, Stat. of the Staple, or recognisance to him before made or knowledged, or vpon any lawfull title or cause wherewith the sayd lands &c. were liable and bound, at such time as they were deliuered and taken into Execution, shall happen to be recouered, lawfully deuessed, taken or euicted, from the possession of any such person as shall haue the same in Execution, without any fraude or other default of the sayd Tenant by Execution, before the sayd Tenant, his Executors, or assignes shall haue leuied or receiued the sayd whole Debt and dammages, for the which the sayd lands &c. were deliuered and taken in Execution, Then euery such Recouerer, Obligee and Recogniser, shall and may haue and pursue a writ of Scire facias out of the same Court, from whence the sayd former writ of Execution did proceede, against such person or persons, as the sayd writ of Execution was first pursued, their heires, Executors or assignes, of such lands, tenements, or hereditaments, as were or bene then liable to the sayd Execution, returnable into the same Court at a certaine day being full fourtie dayes after the date of the same writte, at which day if the defendant (being lawfully warned) make default, or appeare, and doe not shewe and plead a sufficient cause, other then the acceptance of the sayd lands &c. by the sayd former writte of Execution, to barre or discharge the sayd suit, for the residue of the sayd debt and dammages remaining vniuied, or vniuied by the sayd former Execution: Then the Lord Chancellor, or other such Justice or Iustices before whom such writ of Scire facias shall be returnable, shall make esloones a newe writ or writts out of the sayd former Record of Iudgement, Stat. Marchant, Stat. Staple or Recognisance, of like nature and effect, as the sayd former writ of Execution was, for the leuying of the residue of all such debt and dammages, as then shall appeare to be vniuied, vnsatisfied, or vnpayd of the whole summe in the sayd former writ of Execution contained, *32. H. 8. 5.*

Executors.

Executors shall haue a writ of accompt, and like Action and proccesse in the same writ, as their Testator should haue had if he had liued. *West. 2.*

D.iiii.

13. Ed.

A remedy for
the Cognisance
where lands
taken by him
in Execution
be recouered.
and esloones
a newe writ
of the same
nature and effect
as the former
writ of Execution
was.

23. *Ed. 1. 23.*) And Executours shall haue an Accion of Trespasse against Trespassors for a Trespas done to their Testator of the goods, and cattels of the same Testator carried away in his life time, And shall recouer their dammagés in such maner, as he whose Executours they be, should haue done if he had liued. 4. *Ed. 3. 7.*

Executours of
Executours.

2. Executours of Executours shall haue an Accion of accompt, of debt, and of goods taken away of the first Testators, and execution of statutes Merchants and Recognisances knowledged in Court of Record to the first Testator, in the same maner as the first Testator should haue had, if hee had liued. And the same Executours of Executours shall answer other men so much, as they haue recouered of the goods of the first Testators, as the first Executours should haue done if they had liued. 25. *Ed. 3. 5.*

Part of the
executours may
lei þ land deu-
led to be solde.

3. Where part of the Executours named in any Testament of any person making any Will of any lands, tenements, or other hereditaments, to be solde by his Executours after the death of any such Testator, doe refuse to take vpon him or them, the administration and charge of the same Testament, wherein they be so named to be Executours: and the residue doe take vpon them the charge of the same Testament: Then all bargains, and sales of such lands &c. (so willed to be solde, by the Executours of any such Testator) made by him or them one ly, of the sayd Executours, that so doeth take vpon him or them, any such cure or administration of any such Will, shall be as good and effectuell in the Law, as if also the residue of the same Executours, named in the sayd Testament had ioyned with him or them in the making of the bargain and sale of such lands, tenements, or other hereditaments so willed to be solde, by the Executours of any such Testator which shall make such Will. 21. *H. 8. 4.*

Fourth by
Essoine.

The Executor
which first ap-
peareth shall
answer.

4. In a writ of Debt brought against diuers Executours, they shall not fourth by Essoine before apparance nor after, so that they shall haue but one Essoine, as their Testator should haue had. And the Executor or Execu-
tours, which doe first appeare at the grand distresse returned, shall answer the plaintife, and if Iudgement passe for the plaintife, the Iudgment and execu-
tion shall be against them which haue pleaded, and all the residue named in the writte of the goods of the Testator, as if they had all assented to plead. 9. *Ed. 3. 5.*

1. Howe Executours shall recouer Rents due in the time of their Testator. S. Rents. 1.

2. That the fathers Executours be bound to satisfie the daughter of aide receiued. S. Ayde &c. 1.

3. That Executours may maintaine a writ of Idempnitare nominis. See Sherifes. 23.

4. That Ordinaries shall answer as Executours as farre as the goods will extend. S. Ordinarie. 1.

5. That the money or profit of lands willed to be sold, shall not be taken

as any of the goods of the testator, S. Probat. &c. 8.

6 What executors or others shall pay to the Ordinarie for the probate of Testament, S. Probat. 1. 2. 3.

7 Where the heire being charged, shall haue remedie against his Aunccestors executors, S. Accomptants to the Queene, 27. 43.

8 Where the executors of the King or Queene of this Realme, and where the heire shall haue the specialities not paid &c. S. Accomptants to the Queene 2.

Exemplification.

Every patentee, his heires, successours, executors and assignes, and every other person hauing by, from, or vnder his or their title, any estate or interest of, in, or to landes, tenementes, hereditaments, or other thing whatsoeuer to such patentee heretofore graunted by any letters Patentes by any King or Queene of this Realme at any time since 4. Februaris Anno. 27. Hen. 8. or hereafter to be graunted by the Queenes Maiestie, her heires or successours, shall and may at all times in the Queenes Courts &c. and else where, make and conuey to and for himselfe such claime or title by way of declaration, plaint, barre, auowzie, replication or other pleading whatsoever, as well against the Queene &c. and every other person for or concerning the landes, hereditaments, or other things conteyned in such letters Patentes, or for, or concerning any part thereof, by shewing forth an Exemplification or Constat vnder the great Seale of England, of the inrolment of the same letters Patentes, or of so much thereof as may serue to, or for such title, claime, or matter (the same letters Patentes then remaining in force not lawfully surrendred nor cancelled) for and concerning so much, and such part of such landes &c. whereunto such title or claime shall be made, as if the same letters Patentes were pleaded and shewed forth, 13. Eliz. 6. 3. Ed. 6. 4.

Exemplification of the Queenes letters patentes.

1 That no Fines or Recoveries shall be amended after Exemplification thereof, S. Fines 28. 37.

Exigent and Outlawrie.

NO Exigent shall be awarded, where a man is indicted of trespassse, (except it be against the peace) 18. Ed. 3. 5.

Exigent in trespassse contra pacem. No pardon of outlawry without agreement with the plaintiffe.

2 Where the plaintiffe doth recouer damages, and he against whom the damages be recovered is outlawed at the Queenes suite, no charter of pardon shall be graunted of his outlawrie (except the Chauncelloz of England be certified that the plaintiffe is agreed withall for his damages,) 5. Edw. 3. 12.

3 Where a man is outlawed by process before he doeth appeare, no charter of pardon shall be graunted, except the Chauncellour be certified that he which is outlawed hath peeld himselfe to prison before the Iudices of the Court from whence the Exigent was awarded, that is, if from the Kings Bench, then he shall render himselfe to the same Court, if from the

No pardon of outlawrie before the party doth peeld him selfe to prison.

common

Exigent and Outlawrie.

common pleas, then he shall render himselfe thither, and if from Justices assigned to heare and determine, sitting the same Justices, he shall peele himselfe before them, and if they be risen, then he shall peele himselfe in the Kings Bench before the Justices, and the record and proces shall be remooved before them by writte. And the Justices before whom they shall so peele themselves, shall cause the plaintife to bee warned to bee at a certaine day before them, at which day if the warning be duely witnessed or certified, and the plaintife doe appeare upon the same warning, then they shall pleade upon the first originall writ, as though no Outlawrie had bene pronounced, and if the plaintife come not, he that is outlawed shall be deliuered by vertue of his charter. 5. Ed. 3. 12.

Outlawrie defeated by imprisonment.

4 ¶ If any man will defeate an outlawrie pronounced against him, by reason of imprisonment certified by the Sherife or others which haue no record, he shall peele himselfe to prison, and then the Justices of the Kings Bench shall cause the partie to be warned, at whose suite the outlawrie was pronounced, to be before them at a certaine day, at which day if the partie will auerre, that the certificat is untrue, his auerment shall be receiued, And in like maner shall the Queenes Serieant or Atturney, or any other that will sue for the Queene, be receiued to haue such auerment against such certificat, where the Outlawrie is pronounced at the Queenes suite, 5. Edward 3. 13.

Proclamatione awarded into a foraine Countie.

5 ¶ If, and where a writte of Exigent shall be awarded at the suite of the Queene, or any other plaintife in any action personall against any person, called of any Shire or Citie, being a Shire corporat of it selfe, or else late of any such Shire or Citie, other then into such Shire or Citie, wherunto such Exigent shall be awarded to be called according to the lawe, and also in every writte of Exigent in any action personall, whereof the Proces or Exigent shall be directed into London or Middlesex, the defendant being called late of London, or late of Middlesex, and at the time of the Exigent awarded, not dwelling in London nor in Middlesex, or else that the saide defendant or defendants in the same Exigent dwell in any other Shire or place, then where the Queenes writte runneth, then the Justices before whom any such Exigent is to be awarded, in all actions where the Exigent shall not bee directed into London or Middlesex, shall award a writte of Proclamation to be directed to the Sherife of the same Countie, where it doeth appeare by the vsing of such action that the partie defendant is, or lately was dwelling, if the Queenes writte there be currant, or else to the next Shire adioyning to the Countie or Counties, or other places wherof the partie is called or lately supposed by the saide Exigent to haue his being, where the Queenes writte so runneth not; and in every action wherof the Exigent shall be directed into London or Middlesex, and the defendant in the same called late of London or Middlesex, and at the time of the Exigent awarded not dwelling in London or Middlesex.

Proclamatione awarded where the partie dwelling in a Countie or Palatinate.

Then

Then the writte of Proclamation shall be directed vnto the Sherife of the Shire where the defendant at the time of the Exigent so awarded shall haue his dwelling, or in case where the Queenes writte runneth not, vnto the next Shire thereunto adioynning, the which saide writte of Proclamation shall containe the effect of the same action, and the Sherife of the Countie to whom any such writte of Proclamation shalbe directed, shall make three Proclamations within his Countie at three severall dayes, vj. two in the full Shire Court of the same Countie, and the third at the generall Sessions in those parties, where the partie defendant is supposed to be dwelling, or in the parties of the Countie next adioynning to the Countie or Counties where the Queenes writte runneth not, that the partie defendant pee to himselfe to the Sherife of the foyraine Countie, to whom any such Exigent in any action personall is awarded, so that the Sherife of such foyraine Countie may upon his peelding, haue his body befoze the Iustices, befoze whom any such Exigent is awarded at the day of the same Exigent compised, there to answer to the plaintife in the same according to the lawe. And euery such writte of Proclamation shall haue the same day of returne, as the writte of Exigent vpon such foyraine actions so awarded shall haue, and euery such writ of Proclamation shall be deliuered of record to the Sherife or deputie of the Countie into the which any such writ of Proclamation is to be awarded, and the Sherife of the same Countie shall duly execute the same, and thereof make true returne at the day of the same writte appointed, vpon paine to forsaite such amercement vnto the Queene and her heires, as by the Iustices befoze whom such Exigent shall be returnable shall bee set, and the Officer in whose Office such Exigent is taken, shall make out the saide writte and writtes of Proclamation as shall be awarded in any of the saide Courtes, and shall take no more for the making of any such writte, and the entring of the same of record, but onely six pence. And if any Outlawrie bee had, or promulged against any person in any action personall in any foyraine Countie, and no writte of Proclamation (as is aforesaid) awarded and returned, then euery such Outlawrie shall be utterly void. And all Outlawries had contrary to this Acte shall be auoyded by Auerment, without suing of any writ of Error, 6. Hen. 8. 4. S. Indictment 4. 5. Procees into a foyraine Countie vpon an Indictment of Felonie, Treason or Trespasse.

6. ¶ Whensoever any writ of Exigent shall be awarded at the suite of the D. or any other person plaintife in any action or suit in the Kings bench, or common plect, against any person dwelling in any of the xii. Counties in Wales, or in any of the Counties palantine of Lanc. Chester, or the Citie of Chester, then immediately vpon y^e awarding of euery such Exigent, the Iustices befoze whom any such Exigent shalbe sued &c. haue authoritie to award one writ of Proclamation, according to the tenor and effect of Proclamations awarded vpon Exigents directed out of any of the said Courtes into London,

3. Proclamations.

The Proclamation shal be deliuered to the Sherife of record.

Outlawrie auoyded by Auerment.

Exigent against any person dwelling in the xii. Shires in Wales or in Lancaster, Cheshire, or the Citie of Chester.

Exigent and Outlawrie.

London, or into any other Shires within this Realme, against any other person dwelling in any other Shire where the Queenes writte is current; according to the order and forme of the foresaid Statute, 6. Hen. 8. to be directed to such of the Sherifes of any of the foresaid Countie in Wales, and of Lancaster, Chester, and of the Citie of Chester, where it shal happen the said defendand against whom the said action shalbe sued, to be dwelling. (But of the writtes directed to the Sherife of the Countie of Lancaster, none shalbe directed to the Sherife of any other Countie next adjoining, according to the foresaid Statute of 6. H. 8. 5. Ed. 6. 26.) And euery such writte of Proclamation shal haue the same Teste, and day of returne as the Exigents, whereupon euery such writ of Proclamation shalbe awarded shal haue, and euery Sherife to whom any such writ of Proclamation shalbe directed, shall make Proclamation of the said writ of Proclamation, according to the tenor of the same, and shall make true returne of the same in such Court, and before such Iustices, as the tenor of the same writte shal require. And all Outlawries pronounced or promulged against any person vpon any such Exigent awarded against any person dwelling in any of the saide Counties, and no writte of Proclamation awarded in forme abovesaid to the Sherife of the Countie, where the partie defendand shall be dwelling, or not returned, shall be void, 1. Ed. 6. 10.

These Sherifs
shall haue de-
puties in the
common place
and Kings
bench.

7 ¶ Euery Sherife of euery of the said Counties of Wales, and of the Counties Palantine of Lancaster, Chester, and of the Citie of Chester, shall haue in euery of the Courts of the Kings Bench, and Common ples, one sufficient deputie at the least, to receiue all writs directed to such Sherife, for whom the same deputie or deputies shall be appointed, in like maner and forme, and vpon like paines, as by the lawes and Statutes of this Realme other Sherifes of other Shires within this Realme of England be bound to haue in either of the same Courts. And all writs of Proclamation shall be deliuered vnto euery such deputie of record, in the same Courts: And also like fees shalbe payde for making euery such writte of Proclamation, and for the inrolling of the same of record, as is before limited in the Stat. of 6. H. 8. 1. Ed. 6. 10. 5. Ed. 6. 26. 23. H. 6. 10. S. Sherifes 10.

The Sherifes
for. for not re-
turning a writ
of Proclama-
tion.

8 ¶ If any such writ of Proclamation directed to any of the Sherifes of any of the said twelue Shires in Wales, or Counties Palantine &c. be deliuered to any of the said Sherifes, or to his Deputie, and the same Sherife doe not make true returne thereof into such Court, out of the which the said writ of Proclamation shalbe awarded, he shall forfeit for euery default of non returne to the Q. and J. five pounds, to be recovered by action of debt, whereinn *W. &c. E. P. &c. 1. Ed. 6. 10. 5. Ed. 6. 26.*

Processe
against persons
outlawed.

9 ¶ If any person dwelling in any of the said Counties in Wales, shal be outlawed in any suite or action aforesaid, then writs of *hæc Capias vt-lagatum*, single *Capias vt-lagatum*, *Non molestandum*, and all other pro-
cesse for and against any person outlawed, shall and may be directed to the
Sherife

Sheriffe of any of the said Counties in Wales, as immediat officers of the Courts of the Kings Bench or Common pless in that behalfe. And every such writs may be deliuered of record to the deputie of such of the said Sherifes, to whom any such writ or proces shalbe directed. And every such Sheriffe shall make execution, and returne of every such writ or proces to him directed, vpon paine of forf. to the Queene and her heires such amerciamment, as by the discretion of the Iustices before whom such writ shalbe returnable shalbe set, 1. Ed. 6. 10.

10 ¶ If any person dwelling in the Countie Palantine of Lancaster, shalbe outlawed in any such suite or action, as is aforesaid, then all writs of speciall Capias vtlagatum, single Capias vtlagatum, Non molestandum, and all other proces for, or against any person so outlawed, shall and may be directed to the Chauncelloz of the Duchie of Lancaster, who shall make like writs and proces thereupon, and of like effect, sealed with the Seale of the said Countie Palantine of Lancaster, to be directed to the Sheriffe of the said Countie Palantine for the time being, as it hath bene vsed in such cases, 5. Ed. 6. 26.

Proces directed to the Chauncelloz of the Duchie.

11 ¶ But these two statutes, nor any thing in them conteyned shall extend, or be prejudiciall to any Lord Marcher in Wales, nor to any of their heires, nor to the said twelue Counties of Wales, nor to the said Counties Palantine of Lancaster, Chester, of the Citie of Chester, concerning such Liberties, Franchises, or Priuiledges as belong to any of them, nor to any Ministers or Officers of any of them, in other maner then by the true meaning of these actes is declared, 1. Ed. 6. 10. 5. Ed. 26.

12 ¶ No Exigent shalbe awarded by the Iustices within the Counties Palantine of Lancaster or Chester, or the Bishopricke of Durham, against any person vpon any information, suite, or proces, to be made by force of the statute prouided 8. Ed. 4. against giuing of Lueries or Badges and retaining: And if any Exigent be awarded, and Outlawrie thereupon pronounced, then the same shall be void, without any suite by writ of Error or otherwise, 8. Ed. 4. 2.

Exigent vpon the statute of lueries.

13 ¶ In every action personall, wherein any writ of Exigent shalbe awarded out of any Court, one writte of Proclamation shall be awarded and made out of the same Court, hauing day of Teske and returne, as the saide writ of Exigent shall haue, directed and deliuered of record to the Sheriffe of the Countie, where the defendant, at the time of the Exigent so awarded, shall be dwelling, which writte of Proclamation shall conteyne the effect of the same action. And the Sheriffe of the Countie, vnto whom any such writte of Proclamation shall be directed, shall make three Proclamations in this foyme following, and not otherwise: that is to say, one of the same Proclamations in the open Countie Court, one other of the same Proclamations, at the generall quarter Sessions of the Peace in those partes where the partie defendant, at the time of the Exigent awarded shall be dwelling.

Proclamation in personall actions.

Three Proclamations.

dwelling. And one other of the same Proclamations shall bee made (one Moneth at the least before the quinto exact, by vertue of the saide Writte of Exigent) at, or neere the most usuall doore of the Church or Chappell of that Towne or Parish, where the defendant shall be dwelling at the time of the saide Exigent so awarded. And if the defendant shall be dwelling out of any Parish, then in such place as aforesaide, of the Parish in the same Countie, and next adioyning to the place of the defendants dwelling; and vpon a Sunday immediatly after Diuine Seruice, and Sermon, (if any Sermon there be) and if no Sermon there be, then forthwith after Diuine Seruice. And all Outlawries had and pronounced, and no writte of Proclamations awarded and returned according to the forme of this Statute shall be utterly void and of none effect. And the Officer in whose Office such writtes of Exigent and Proclamations shall be made, shall and may take such fees, as by the Statute made 6. Hen. 8. (See the Statute) is limited and appointed in that behalfe, and no greater fees in any wise. And the Sheriffe for making of the Proclamation at or neere to the Church or Chappell doore as is aforesaide, shall haue twelue pence, 31. Elizabeth 3.

The defendant
vpon a writ of
Error, bound
to answer the
plaintiffe, and
to satisfie the
condemnation.

14. ¶ Before any allowance of any Writ of Error, or reuersing of any Outlawrie be had, by Plea or otherwise, through, or by want of any Proclamation to be had and made, according to the forme of this Statute, The defendant and defendants in the originall action, shall put in Baile, not onely to appeare, and answer to the plaintiffe in the former suite, in a new action to be commenced by the saide plaintiffe, for the cause mentioned in the first action, but also to satisfie the condemnation. If the plaintiffe shall beginne his suite before the ende of two Termes next after the allowing of the Writ of Error, or otherwise attorning of the saide Outlawrie, 31. Elizabeth 3.

A writ of pro
clamation vpon
an Exigent as
gainst any per
son dwelling
in the Bishop
picks of Dur
ham.

15. ¶ Whensoever any Writ of Exigent shall be awarded at the suit of the Queene, her heires or successours, Kings or Queenes of this Realme, or at the suite or suites of any other person or persons, plaintiffe or plaintifes, in any action or suite, in any of the Courtes of the Kings Bench, or Common place, against any person or persons, dwelling within the Bishopricke of Durham, Then immediatly vpon the awarding of euery such Exigent, the Justice or Iustices before whom any such Writte of Exigent vpon such suite or action shall bee sued, shall haue authoritie by vertue of this Acte, to awarde one Writte of Proclamation, according to the tenor and effect of Writtes of Proclamation awarded vpon Exigents, and commonly directed out of any of the saide Courtes into London, or into any other Shires of this Realme, against any other person or persons, dwelling in other Shire or Shires of this Realme where the Queenes Writte doeth runne, according to the order and forme of the Acte made 6. Henrie 8. to be directed to the Bishoppe of Durham for the time being, and during the vacation

vacation of the Bishopricke, then to the Chauncellour of the said Bishopricke, or Countie Palantine, for the time being, where it shall happen the said Defendant, against whom any such Action shall be sued, as is aforesaid to bee dwelling, and not to the Sheriffe of any other Shire next adjoining to the said Bishopricke, or Countie Palantine, (any lawe, custome, or vsage, heretofore vsed to the contrary, notwithstanding.) And every such Writte of Proclamation so to bee hereafter awarded, to such Bishoppe, or Chauncellour of the said Bishopricke, or Countie Palantine, shall haue the same Teste, and day of returne, as the Exigentes, whereupon every such Writte of Proclamation shall bee awarded shall haue. And every such Bishop, or Chauncellour, to whom any of the said Writte or Writtes of Proclamation shall bee directed, shall by his or their Pandar, directed to the Sheriffe of the said Countie Palantine, cause Proclamation to bee made of the same Writtes of Proclamation, according to the tenour of the same, and shall make true Returnes of the same, in such Court and Courtes, and before such Iustices, as the tenour of the same Writte and Writtes of Proclamation shall require and demaund. And all Outlawries hereafter to bee promulged, or pronounced against any person or persons vpon any such Exigent, or Exigents awarded against any person or persons dwelling within the said Bishopricke, or Countie Palantine, and no Writtes of Proclamation awarded in forme aforesaid to the Bishoppe, or Chauncellour aforesaid, where the partie Defendant shall be, as is aforesaid dwelling, or not returned as aforesaid, shall bee clearly void, and of none effect nor force in the lawe, 31. Eliz. 9.

16 Every Bishoppe of the said Bishopricke, for the time being, and during the vacation of the said Bishopricke, the Chauncellour of the said Countie Palantine for the time being, shall haue in every of the said Courtes of the Kings Benche, and Common Pleas, one sufficient Deputie at the least, to receiue all such Writtes of Proclamations, which shall bee hereafter directed to every such Bishoppe or Chauncellour of the said Bishopricke, or Countie Palantine, for whom the same Deputie, or Deputies shall bee appointed, in like manner and forme, and vpon like paines, as by the former Statutes and Lawes of this Realme, the Sheriffes of other Shires, or Counties within this Realme of England, be bound to haue in eyther of the same Courtes. And all such Writtes of Proclamation as aforesaid, shall be deliuered vnto every such Deputie or Deputies of Record in the same Courtes and eyther of them, and also like Fees shall be payde for making of every such Writte of Proclamation, and for inroling the same of Record, as is limited in the same Statute made 6. Henrie 8. 31. Elizabeth 9.

The Bishop of Warham shall haue a deputie in certain Courtes at Westminster.

Exigent and Outlawrie.

The penaltie,
if the Bishop
or Chauncellor
do not returne
the proclamation.

17 **E** If any such writ or writs of Proclamation, directed to the Bishop or Chauncellour of the said Bishopricke or Countie Palantine, be deliuered vnto any of the said Bishops for the time being, or (during the vacation of the saide Bishopricke) to the Chauncellour of the said Countie Palantine for the time being, or to his or their deputie or deputies in maner and forme aforesaid, and the same Bishop, for the time being, or during the vacation of the said Bishopricke, the said Chauncellour of the said Countie Palantine for the time being, doe not make true returne of euery such writ and writs of Proclamation to them directed, into such Court and Courtes, out of which the said writ or writtes of Proclamation shall be awarded: For euery such default of Non returne, euery such Bishop for the time being, and (during the vacation of the saide Sea) the saide Chauncellour for the time being so sayling to make due returne, shall forfeite fine poundes. The one halfe whereof shall be to the Queene, her heires and successours, and the other halfe thereof to any such person or persons as will sue for the same, in an action of debt to be grounded vpon this Acte, in any of the Queenes Courtes of Record, wherein no Essoine, Protection, or Wager &c. 31. Elizabeth 9.

Provision for
the Bishops
liberties.

18 **T**his Act shall not extend or be prejudiciall to any Bishop of the said Bishopricke of Durham, for or concerning such Liberties, Franchises, or Priuiledges, as belong to the same Bishops Bishopricke or Sea, or to any Ministers or Officers of the same Bishopricke or Countie Palantine, oherwise, or in any other maner, then by the true meaning of this Acte is before prouided or declared: Any thing in this &c. notwithstanding, 31. Elizabeth 9.

To whom
writs of Out-
lawrie &c. shall
be directed as
against any
person within
the bishoprick.

19 **E** If any person or persons dwelling within the saide Bishopricke, or Countie Palantine, shall be Outlawed in any suite or action, wherein Proces of Outlawrie doth lye, Then all writtes of speciall Capias velagatum, single Capias velagatum, Non-molestandum, and all other Processe, for, or against any person or persons so Outlawed, shall and may from hencefoorth bee directed from time to time, to the Bishoppe of the saide Bishopricke and Countie Palantine for the time being, and (during the vacation of the saide Sea) to the Chauncellour there for the time being, who shall make like Writtes and Processe thereupon and of like effect, sealed with the Seale of their saide Offices, to be directed to the Sheriffe of the said Countie Palantine for the time being, as heretofore hath bin vsed and accustomed in such cases, 31. Eliz. 9.

One fee for the
proclamation
and mandate.

20 **U**pon any Witte of Proclamation to bee awarded by vertue of this Acte, and the Warrant thereupon to bee made to the Sheriffe, and the execution thereof, there shall bee but one onely fee taken, receiued, or demanded for the same, by the saide Bishoppe, Chauncellour, and Sheriffe of the saide Countie Palantine for the time being, 31. Eliz. 9.

1 That an Exigent shall be awarded against the accessarie, vntill the principall

principall be attainted, S. Appeales 3.

2 That where an Exigent is to be awarded, there shall be addition to the defendants name, S. Addition 1.

3 That proces of Outlawrie awarded against offenders in Treason being out of this Realme, shalbe good, S. Treason 11.

4 Where one that is supposed to be outlawed, shal auoide the seysure of his lands and goods, by entring into band to the Sherife &c. to answer the Queene &c. S. Sherifes 23.

5 That the indicted shall forsaite his Cattels by Exigent against him awarded. S. Indict. 5.

6 Where an Exigent shall be awarded against an Accomprant. S. Accompr. 2.

7 That Outlawrie of the plaintife in Attaint in a personall Action or cause is no plea. S. Attaint 3.

Extortion. Exaction.

IF any Sherife, Coroner, or other Officer of the Queenes, doe take any thing to doe his office, hee shall render double to the partie, West. 1. 3. Ed. 1. 26. Officers.

2 If the Serieant, Crier, or Marshall of any Iustice, doe wrongfully take money of any which doth recouer land, obtaine his suite, leuie a fine, or prosecute any suite touching any plea of the Crowne, he shalbe punished at the Queenes pleasure, and yeelde treble dammages to the partie grieved. And if hee bee Serieant of Fee, his Office shall be seysed into the Queenes handes, West. 1. 3. Ed. 1. 29. Serieant, Crier, Marshall.

3 For Extortion by the Sherife, Bailife, &c. for arresting, for letting to Baile, making of Panels, or graunting of Copies, S. Sherife 6. 7. 8. 9. Sherife.

4 For Ex. by Auditors, or their Clearkes, S. Auditors &c. 2. Auditors.

5 For Ex. by Receiuors or their deputies, S. Auditors 3. Receiuors.

6 For Ex. by them which make dispensations, faculties, licences, or other such instruments S. Dispensations 1. Dispensations.

7 For Ex. by them which haue spirituall iurisdiction, or any substitute or minister of theirs for Citations, S. Citation 3. Judges Spirituall.

8 For Ex. by the Clerke of the Signet or priuie Seale, S. Clerke of the Signet 1. Clerke of the signet.

9 For Ex. of Masters, Wardens of Fellowshipes or Craftes, vpon any Apprentice, or other whose prentishippe is expired, S. Corporations 4. Wardens of Fellowshipes.

10 For Ex. by any Coroner, S. Coroner 16. Coroner.

11 For Ex. by those which haue commissions to leuy musters, or make men serue in the warre, S. Captaines &c. 13. muster maisters.

12 For Ex. by Clerkes of the Eschequer, of any Bishop or other, that hath the receipt of Tenthes, S. Eschequer 2. Clerkes of the Eschequer.

13 For Ex. in Wales without the Commissioners consent, S. Wales Wales.

- Wales.** 14 For Ex. vpon them which trauaile through Forests in Wales. S. Wales. 112.
- Escheators.** 15 For Ex. by Escheators, finding Offices of lands. S. Escheators. 3. 9.
- Custos breuium.** 16 For Ex. in the chiefe Clerke of the Common place, for the entring of the concord of any fine. S. Chirographer. 2.
- Chirographer.** 17 For Ex. in the Chirographer of the Common place, his deputie, or Lieutenant. S. Chirographer. 1.
- Admirall.** 18 For Ex. by the Admirall, or any Officer of the Admiraltie, of any marchant or fisherman for licence, &c. S. Fish. 2.
- Wardes.** 19 For Ex. by the Officers of the Court of Wardes and Lineries. S. Wardes. 28.
- Officers of Courts.** 20 For Ex. by the Officers of any Court which make any writ of proclamation, into a forraigne Countie. S. Exigent. 5. 9.
- Marshall.** 21 For Ex. in the Marshall or any of his Officers. S. Marshall. 6.
- Officers of Boroughs.** 22 For Ex. taken by the head Officers of any Borough of Marchants, for Scavage and Sewage. S. Marchants. 2.
- Ordinaries.** 23 In what sort Ordinaries shall be indicted of extortion or oppression. S. Ordinarie. 2.
- Ordinaries.** 24 For Ex. by Ordinaries for proouing of willes, or committing of Administration. S. Probate of Testament. 12.
- Norwich.** 25 For Ex. in the Maior, Recorder, Steward, or Iustice of peace in Norwich for admitting any person to occupy the artes of making Hattes, Couerlets, or Dornikes. S. Hattes. 3. Couerlets. 5.
- Recognisance.** 26 For Ex. for taking, writing, inrolling, or certifying a Recognisance in nature of a statute Staple. S. Statutes. 13.
- Clerke of the market.** 27 For Ex. by Clerkes of the market. S. Clerke of the Market. 1.
- First fruites.** 28 For Ex. in taking money for Obligations or acquittances, for first Fruites. S. Ecclesiasticall persons. 25.

Faires and Markets.

The man shall
keepe a Faire
longer then he
ought.

They which haue Faires by Charter or otherwise, shall holde them no longer then they ought to doe, vpon paine of seisure of the same to the Queene, vntill they haue made fine vnto her for the said offence. And every owner of a Faire, shall proclaime at the beginning thereof how long it shall last, and after the said time every Marchant shall buy by his Booth, and Stall, and if any Marchant doe sell any ware or marchandize at the said Faire, after the same be ended, he shall forfeite the double value of that which he hath sold, to the Queene &c. 2. Ed. 3. 15. 5. Ed. 3. 5.

Certaine daies
wherein faires
and markets
may not be
kept.

If any Faires or Markets be kept vpon good Friday, Corpus Christi day, Ascencion day, all Saintes day, the day of the Assumption of our Lady, Whitsunday, Trinitie Sunday, or other Sunday (the foure Sundayes in Darrell excepted) and any goods or marchandize in them be shewed (necessarie vitallie onely excepted) the owners shall forfeite all their goods

goods shewd to the Lord of the Libertie, or Franchise where &c. But they which haue no power to keepe Faire or Market but vpon such dayes, may keepe it within thye dayes before or after any of the said Feastes, after proclamation first made what day the Faire shalbe holden. 27. H. 6. 5.

3. ¶ If any Steward, Understeward, Bailife, or other Officer or Minister of any Court of Pipowders, pertaining to a Faire, will hold plea vpon an action, at the suite of any person, vntlesse the plaintife, or his Atturney doe in presence of the defendant sweare vpon the holy Euangelistes vpon his declaration, that the contract or other facte conteyned in the declaration, was made or committed within the time, iurisdiction, and boundes of the same Faire, he shall forfeite £. s. to the Queene, and him that will sue by action of debt: for if the pl. refuse the foresaid othe, the def. ought to be he dismissed out of the same Court, and the pl. shall take his remedie at the Common lawe &c. But though the plaintife doe affirme the same, yet the def. shall not be concluded, but shall answer and pleade to the action, or in abatement of the plaint, and proffer an issue, that the same contract, trespassse, or other fact, was not committed within the time of the Faire, or iurisdiction of the same, but els where &c. But this Statute shall not prejudice the Bishop of Durham or his successours, within the liberties of the said Bishopricke. 17. Ed. 4. 2. 1. Rich. 3. 6.

4. ¶ If the owner, gouernour, farmour, Steward, bailife, or chiefe keeper of any Faire or Market ouert, where Horses, Pares, Geldings, and Coltes haue bene and shalbe vsed to be sold, doe not yerely appoint one special open place, within the Towne, place, fielde, or circuite, where Horses, Pares, Geldings, or Coltes shall be solde, and also one sufficient person or moze to take tolle, and to continue in the same place from tenne of the clocke in the forenoone, vntill the Sunne be set daily, during the continuance of the said Faire, he shall forfeite for euery default xl. shillings to the Queene and Informer, to be recouered before the Iustices of peace, or by A. J. &c. wherein no W. &c. E. P. &c. 2. & 3. P. & P. 7.

5. ¶ The Tolle gatherer of euery Faire or Market, shall take his lawfull Tolle for euery Horse, Pare, Gelding, and Colt sold, exchanged, or put away in the said Faire &c. & at the open place appointed for the sale of Horses, betwixt the houres of tenne in the forenoone, and the Sunne set, if it be tendered and at no other time or place, and shall haue before him the parties to the bargain, at the taking of the Tolle, and also the Horse &c. solde, and shall write the names, surnames, and dwelling places of the parties, and the colour, and one speciall marke of the Horse, or els he shall lose, for euery default xl. s. to the Q. and J. to be recouered before the Iustices of peace, or by A. J. &c. wherein no W. &c. E. P. &c. For the sale of any stolen Horse &c. in a Faire or Market, shall not take away the proprietie from the owner thereof, except the same Horse be openly ridden, led, walked, driven, or kept standing by the space of one houre at the least, betweene tenne of the cloke in the

In euery court of Pipowders the pl. shall be sworn &c.

In place appointed for Horse faire.

Tolle gathered.

When, where, and of whom, toll for horses shalbe taken.

The using of a stolen horse to take away the owners proprietie.

Faires and Markets.

morning, and the Sunne set, in the open place of the Faire, where Horses are commonly used to be solde, and not in any house, yard, backeside, or other secret place, and inlesse all the parties to the bargain bring present in the saide Faire &c. shall come together and bring the Horse to solde, to the open place appointed for the Tolle taker, or booke keeper, and there enter their names and dwelling places, and the colour, and one speciall marke of the Horse, and pay the Tolle for the same, if any be payable in that Faire, or else the buyer to giue a penie for entring &c. for where Tolle is not due by reason of the libertie of any Faire or Market, the keeper of the booke shall not exact aboue a peny for a contract. And if any Horse, Mare, Gelding, or Colt, theenishly stolen, or taken away, be solde, giuen, exchanged, or put away in any Faire or Market, and not vsed in all poyntes, as is aforesaid, then the owner thereof may take against the same, or haue an action of detinue or repleuin for the same Horse &c. 2. & 3. 13. & 19. 7.

A note of all
Horses sold in
a Faire.

6 The Tolle gatherer or keeper of the booke, shall within one day next after every Faire or Market ended, bring and deliuer his booke to the Owner, Steward, Bailife, or chiefe Gouvernour of the Faire &c. who shall cause a note to bee made, of the number of all Horses &c. solde at the saide Faire, and shall subscribe his name, or set his marke thereunto. And who so maketh default, shall forfeite for every offence fourtie shillings to the Queene and Informer, to be recovered before the Iustices of Peace, or by A. T. &c. wherein no W. &c. C. P. &c. and also shall answer the partie which is grieved by his negligence in euery behalfe. 2. and 3. 13. and Marie 7.

The seller of
the Horse must
be knowne.

7 No person shall in any Faire or Market sell, giue, exchange, or put away any Horse, Mare, Gelding, Colt, or Fillie, vntlesse the Tolle taker there, or (where no Toll is payde) the booke keeper, Bailife, or chiefe Officer of the same Faire or Market, shall and will take vpon him perfect knowledge of the person that so shall sell or offer to sell, giue, or exchange any Horse &c. and of his true Christian name, surname, and place of dwelling or resiencie, and shall enter all the same his knowledge into a booke there kept for sale of Horses, or else that hee so selling or offering to sell, giue, exchange, or put away any Horse &c. shall bring vnto the Tolle taker, or other Officer aforesaid of the same Faire or Market, one sufficient and credible person that can, shall, or will testifie and declare vnto, and before such Tolle taker, booke keeper, or other Officer, that he knoweth the partie that selleth, giueth, exchangeth, or putteth away such Horse &c. and his true name, surname, mysterie, and dwelling place, and there enter, or cause to be entered into the booke of the said Tolle taker, or Officer, aswell the true Christian name, and surname, mysterie, and place of dwelling, or resiencie, of him that so selleth, giueth, exchangeth, or putteth away such Horse &c. as of him that so shall testifie or avouch his knowledge of the same person, and shall also cause to be entered the very true price or value that he shall haue for

for the same Horse &c. so shoulde. And no person shall take upon him to a-
nolche, certifie, or declare that hee knoweth the partie that so shall offer to
sell, giue, exchange, or put away such Horse &c. vntill he doe in verbe truly
knowe the same person, and shall truly declare to the Tolle taker, or o-
ther Officer aforesaide, as well the Christian name, Synname, myserie, and
place of dwelling and resiaucie of himselfe, as of him, of, and for whom hee
maketh such testimonie and anouchment. And no Tolle taker, or other per-
son keeping any booke of entrie of sales of Horses in Faires or Markets,
shall take or receiue any Tolle, or make entrie of any sale, gift, exchange,
or putting away of any Horse &c. vntill he knoweth the partie that so sel-
leth, giueth, exchange, or putteth away any such Horse &c. and his true
Christian name, Synname, myserie, and place of his dwelling or resiaucie,
or the partie that shal and will certifie and anouch his knowledge of the same
person so selling, giuing, exchanging, or putting away such Horse &c. and
his true Christian name, Synname, myserie and place of dwelling or
resiaucie, and shall make a perfecte entrie into the saide booke of such his
knowledge of the person, and of the name, Synname, myserie, and place of
the dwelling or resiaucie of the same person, and also the true price or value
that shall be bona fide, taken or had for any such Horse &c. so shoulde, giuen,
exchanged, or put away so farre as hee can vnderstand the same, and then
giue to the partie so buying or taking by gift, exchange, or ocherwise, such
Horse &c. requiting and paying two pence for the same, a true and perfect
noce in writing, of all the full contents of the same subscribed with his
hand, on paine that every person that so shall sell, giue, exchange, or put a-
way any Horse &c. without being known to the Tolle taker, or other Of-
ficer aforesaid, or without bringing such anouchment or witness, causing the
same to be entered as aforesaid, and every person making any vnttrue testimo-
nie or anouchment in the behalfe aforesaide, and every Tolle takers, booke
keeper, or other officer of Faire or Market aforesaide offending in the pre-
misses, contrary to the true meaning aforesaide, shall forfeite for every such
default five pound.

What shalbe
entered into the
Tolle booke.

It note in buy-
ing delivered
to the buyer.

8. ¶ If any Horse, Mare, Gelding, Cole, or Fille, shalbe stolen, (after
shalbe sold in open Faire or Market, and the same sale shall be vied in all
pointes and circumstances as aforesaid, yet neuerthelesse the sale of any such
Horse &c. within sixe moneths next after the felonie done, shal not take away
the proprietie of the owner from whom the same was stolen, so as claime be
made within sixe moneths by the partie from whom the same was stolen, or
by his executors or administrators, or by any other by any of their appoint-
ment, or in the Towne or Parish where the same Horse &c. shalbe found be-
fore the Mayor, or other head officer of the same Towne or Parish, the same
Horse &c. shal happen to be found in any Towne corporat, or market Towne,
or else before any Justice of peace of that Countie neere to the place where
such Horse &c. shalbe found, if it be out of Towne corporat or market towne,

The owner
may redeeme
his stolen
Horse within
sixe moneths
paying the
price.

False iudgement. Farmers.

and so no proofe be made within the day then next ensuing, by the sufficient witness to be produced and depose before such head officer of Justice, (who by vertue of this Act shall haue authoritie to minister any othe in that behalf) that the property of the same Horse &c. so claimed, was in the partie by, or for whom such claime is made; and was stolen from him within five moneths next before such claime of any such Horse &c. But the partie from whom the said Horse &c. was stolen, his executors or administrators shall and may at all times after, notwithstanding any such sale or sales in any Fair or open Market thereof made, haue property and power to haue, take againe, and enjoy the said Horse &c. upon payment, or readinesse, or ready to pay to the partie that shall haue the possession and interest of the same Horse &c. if he will receive and accept it, so much money as the same partie shall depose and swear before such head Officer of Justice of peace (who by vertue of this Act shall haue authoritie to minister and giue an othe in that behalf) that he payed for the same bona fide without fraude or collusion, as p^{ro}uina statute xx. notwithstanding. 2. E. 2. c. 12.

It seale for euery faire.

Churchyards.

Whomsoever may carry their wares to any faire or market.

9. S. Statute de Mercatoribus. 13. Ed. 1. The Queene shall provide a seale for Faires, and the same shall be sent vnto euery Faire vnder the Queenes seale, by a Clerke sworn, or by the keeper of the Faire.

10. S. Statute Winchester. 13. Ed. 1. 6. Faires nor Markets shall be kept in the Churchyards for the honour of the Church.

11. Every free man, and Citizen of the Citie of London, may leade, carrie, or goe with his bituall, warr, or marchandize what soeuer it be, to any Faire or Market within England: Any Statute or ordinance made or to be made within London, to the contrary notwithstanding. And the said ordinance &c. shalbe holde, and no person shalbe hurt in losing of his libertie by aduulling of, or not obeying the same. And if any person doe cause another to be prejudiced by the same, he shall for. to the D. and J. i. li. to be recovered by A. of debt. 3. D. 7. 5.

12. Who may buy Cattell onely in the Faire and Market, and who else where. S. Cattell. 2.

13. That Lordes of Faires and Markets, shall appoint two or three to search and seale Leather. S. Leather. 2. 5.

14. That the selling of stolen Cattell in a Faire or Market in Wales, shall not alter the property. S. Wales. 72.

False iudgement.

NOne (but the Queene) shall hold plea in his court, of false iudgement giuen in the court of his tenants: for such pleas doe specially belong to the Queenes Crowne and dignitie. Marb. 5. 2. 0. 3. 29.

Farmes.

Farmes in the Isle of Wight.

If any person doe take any severall Farmes more then one, of any mans land, tenements, or houses, or tythes within the Isle of Wight, whereof

whereof the summe of them all together shall exceede the summe of a markes
peece by the value shall forfait to the Queene for every such taking tenne
pounds. *24. H. 7. c. 12.*

¶ Whosoever doth receive or take in farme for terme of life, yeeres,
or at will, by Indenture, Copy of court Rolle, or otherwise, any more houses,
or tenements of husbandrie, whereunto any lands are belonging, in Towne,
Village, Hamlet, or Tithing within this Realme, above the number of two
such holdes or tenements, or hath or occupieth any such holdes so newly
taken to the number of two, except he be dwelling within the same Par-
ishes where such holdes be, he shall forfait to the Q. and J. for every tene the
that he shall have, occupie, or take any profits of such holdes contrary to this
Act. *24. H. 7. c. 12.* to be reconnered within one yeere next after such offence com-
mitted, by A. J. ac. whereunto *24. H. 7. c. 12. 24. H. 8. c. 12.*

¶ When landes seyled into the Queenes handes upon an Enquest ta-
ken before an Bishop, may be let to farme, and to whom. *S. Patents. 1. 3.*

¶ That the Sherife shall not let to farme his Countie, his Bailiwikes,
Hundredes, nor Wapentakes. *S. Sherifes. 1. 3.*

¶ That Ecclesiasticall persons may not take any farme. *S. Ecclesiasti-
call. 1. 4. c. 16.*

¶ Felonie by Nature, is sell, exchange, or deliver within Scotland, or
the barable ground betwixt England and Scotland, to the use of any
Scottishman, any Horse, Ware, or Gelving, or to sell, exchange, or deliver in
England, Wales, Berwick, or the Marches of the same, or in the said bar-
able ground, to the intent to be conveyed into Scotland, any Horse, Ware, or
Gelving, without the Queenes licence under her great Seale. And in like
manner is Felonie to buy the same. And it shall be lawfull to either of the
Queenes Justices inhabiting in the Marches against Scotland, to arrest a-
ny Scottishman conveying such Horse &c. And he shall have one moiety of
the price of the Horse, & the Q. the other. *23. H. 8. c. 16. 1. El. 7. S. Horses. 1. 4.*

¶ And the second time to bring, send, deliver, or receive, or to procure
to be brought, sent, delivered, or received into a ship or bothome, any Hecpe
being all the while committed out of the Queenes dominions. But thei shall be
no corruption of blood nor forf. of land or power by reason of this Felonie.
2. El. 3. S. Shipps. 1. 2.

¶ And to conspire, devise, invent, or goe about unlawfully and malici-
ously to enlarge, or set at libertie any person committed to prison, ward, or
custodie by the Queenes speciall commandement, which is indicted of Treas-
on touching the Queenes person, and the same conspracie, &c. by words,
writing, or other manifest wayes set forth or declared. *1. 4. El. 3. c. 2. to endure
during the Queenes life. S. Prisons. 8.*

¶ And unlawfully to conspire, compass, imagine, procure, or devise
to take or impetrate any of his Castles, Towers, Fortresses, or

no man shall
take above
two farmes.

24. H. 7. c. 12

24. H. 8. c. 12

24. H. 8. c. 12

24. H. 8. c. 12

24. H. 8. c. 12

24. H. 8. c. 12

24. H. 8. c. 12

24. H. 8. c. 12

24. H. 8. c. 12

24. H. 8. c. 12

24. H. 8. c. 12

24. H. 8. c. 12

24. H. 8. c. 12

24. H. 8. c. 12

24. H. 8. c. 12

24. H. 8. c. 12

24. H. 8. c. 12

Holmes, or to raise, hire, or master any of them, or any part of them, having
ministry or ordinares of the Quene, or appointed to be garded with sould-
diers for defence thereof, within any the Quenes Dominions, or the mar-
ches of the same, and the same conspircie or adulterely by any act, wordes,
or writing to declare for any of the malicious and rebellious intents afore-
said, any it is Felony to be apding, counsailling, confortting, or abetting in
any such conspircie, knowing thereof. 14. Eliz. 1. 8. Castles

Vagabonds.

15. And for a vagabond of the age of xiii. yeeres or about, which ha-
ving received his punishment, or iudgement given of whipping and bur-
ning through the grille of the righe eare, noeth after ix. dayes after the said
marking, fall againe to a rogishe life. And for a vagabond which upon his
second conviction is taken into service, and from thence departedh within
two yeeres against the will of him which took him into service. And for a
vagabond in the second degree convicted, which shall after a third, fourth, or
offener time be indicted and convicted of a rogishe life. But there shall be no
corruption of blood by any attainder by these felonies, neither shall any per-
son be accessarie to any Felonie made by these. Stat. 14. Eliz. 5. 18. Eliz. 3.

Coniuration.

6. And to practise, vse, or exercise any Inuocation, or Coniuration of
euill and wicked spirits for any intent, or to be apding or counsailling to any
such offendour. But there shall be no corruption of blood, or forfeiture of land or
dower, by reason of this Felonie. 5. Eliz. 1. 6. S. Coniuration

Witchcraft.

7. And to exercise Witchcraft, Enchantment, Charme or Sorcerie,
whereby any person shall be killed or destroyed, or to be apding or counsaill-
ing to any such offendour. But there shall be no corruption of blood, or forfei-
ture of land or dower &c. 5. Eliz. 1. 6. S. Coniuration

**Enchantment,
Sorcerie.**

8. And the second time to practise Witchcraft, Enchantment, Charme
or Sorcerie, whereby any person shall be consumed, or lamed in his body or
member, or any of his goods or cattels destroyed or impaired, being once of
the like offence convicted before, or to be counsailling or apding to such offen-
dour. But no corruption of blood, or forfeiture of land or dower &c. 5. Eliz.
1. 6. S. Coniuration

Buggerie.

9. And to commit Buggerie with mankind or beast. 25. Henrie 8. 6.
5. Eliz. 1. 7.

**Servants im-
beilling their
masters goods**

10. And for any servant (other then Apprentice) being of the age of
xviii. yeeres to get away with any money, iewels, goods, or cattels, or any
part thereof of his masters or mistresses, of the value of xli. s. or above, deli-
uered unto him to keepe by his master &c. to the intent to steale or defraude
his master or mistresse thereof, or being in service with his said master, to
embeill, or to convert to his owne use, money, goods &c. of the same value,
without his masters commandement, to the intent to steale the same. 21. J.
8. 7. 5. Eliz. 1. 10.

**Servants im-
beilling their
masters goods
after their
death.**

11. And for a servant imbeilling his masters goods after his death,
which

which yett doe appeare in the Kings Bench to answer hereunto, at such
time, as by writt directed, and proclamation made, hee shalbe demaunded.
33. 4. 6. 1. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835.

¶ And for any person of the age of xiii. yeres or above, calling him selfe an Egyptian, or being in companie with those which call themselves Egyptians, or disguising himselfe in apparell, speech, or otherwise, like unto them, and so to continue at one or severall times within England or Wales, by y^e space of a moneth. 1. & 2. H. 8. c. 4. 5. Cl. 20. S. Egyptians. 1.

13. ¶ And for any man being the Queenes seruante swoyne, and whose name is in þe Checke roule of her household, seruing in any Office or counsell vnder the estate of a Lorde, to confederate, imagine, compass or conspire with another to destroy or murder the Queene, or any Lord of this Realme, or any other swoyne to the Queenes Counsell, or the Steward, Treasourer, or Comptroller of the Queenes houses. 3. H. 7. 13. S. QUEENE. 17. that the compassing of the Queenes death or bodily harme tending to death, and by writing, speech, &c. declaring the same, is high Treason.

14. And to ravish any woman, where she doeth not consent, before nor after. And to ravish any woman with force, though shee doe consent after. West. 2. T. 1. Ed. 1. 33. And unlawfully and carnally to know and abuse any woman child, under the age of ten yeeres. 18. El. 6. S. Rape. 1. 2.

15 And for any person to breake prison being therein for Felonie.

116. ¶ And to take any mayde, widow, or wife, having lands or goods, or being heirs apparant to her auncestors, against her will unlawfully, and to receive any so taken knowing thereof, and to procure and abette the same.

17 And for a Gaoler, keeper, or underkeeper of prison, to make any prisoner in his ward to become approver against his will by too great duress of imprisonment, and by paine. 14. Ed. 3. 10. 8. Prisons. 9.

¶ 8 And for any Clerke or other person to Steale, take away, withdrayn, or willingly amoyde any Record or parcell of Record, writ, returne, panell, proces, or warrant of Atturney in the Chauncerie, Eschequer, Kings bench, Common place, or Treasurie, whereby any Iudgement shalbe reversed, or to be a counsellor, procurer, or abettor therunto. And halfe the Enquest which shall trie the Felonie shall be of the same Court, and halfe of other persons. 8 H. 6. 12.

9. And of malice pretended, to cut out the tongue, or put out the eyes of any of the Subjects. 5. 10. 4. 5.

And by any person finding a Fawcon, Lamer, Lancer, Cerelet, or other Hauke, which doeth touching the same to the Sherife of the same Countie, that he may make Proclamation to all the good Townes of the Shire, to the intent the owner may haue knowledge thereof, but nocht himselfe the Hauke: 7. Ch. 7. 19. S. Haukes. 2.

21 II And

Felonie.

Multiplication

Motions.

Subsidies.

**Hunting in the
night or with
disguising.**

Purveyours.

**Forging of
evidence.**

**Unlawful as-
semblies.**

And to practise the art of multiplying of gold or silver.

And for to cause persons to confederate themselves in Chapters and assemblies whereby they so do.

And for him which is charged of Record a Souldier, and hath taken part of the Queene's wages, or for a Mariner or a Gunner, taking more wages to serve the Queene on the Sea, not to come unto, or to depart from his Captaine without license.

And for any person to hunt unlawfully in the night, in any Forest, Parks, or Warren, or with painted faces, visours, or other disguising, to the intent he would not be known, and being thereof examined by one of the Queene's Counsell, or a Justice of Peace of the same Shire, to commit the offence of any offender. And for any person which should be attached, to disobey, or make rescue to any person having Warrant to arrest such hunter, so that execution of the same Warrant thereby be not had.

And for any Purveyor, Taker, or other, to make Purveyance for the Queene's house or Wardrobe, without Warrant, and to carry any thing away against the consent of the owner.

And for any Purveyor, not to make his provision by the testimonie, and appraisement of the Constables and four honest men of the Town, where he maketh his piles, and not to deliver tales or Indentures sealed with his seale, testifying the same.

And for any Purveyor to take more vitailles or carriages for the Queene's house, or more great boxes than he hath delivered to the same house.

And for any Purveyor to take more sheepe before she are ripe then be sufficient for the Queene's house, and to carry them to his owne house, and sheare them.

And for any person to commit any of the offences prohibited by the Statute provided, against the forging of evidence and writings, being once before convicted, or condemned of any of the sayd offences by any of the wayes or meanes limited by the sayd Statute, but there shall be no corruption of blood, nor forfeiture of land or dowry by reason of this Felonie.

And for any persons to the number of xii. or above being assembled together, to intend, goe about, practise, or put in hce with force of arms, unlawfully, or to change any Lawes in force established for religion by Parliament, or any other lawes, or Statutes, or to doe an other Act prohibited by the Statute provided against unlawful and rebellious assemblies.

And being commanded or requested by the Sheriffe or Justices of Peace, or Mayor, Bailiffe, or by Proclamation in the Queene's name, to retire to their houses,

houses, &c. to remaine together by the space of an houre after such commandement by Proclamation, or after in forcible and riotous manner to attempte, doe, or put in use, any of the things aforesayd. 1. P. 1. 2. 1. Cl. 16.

29. And for any person unlawfully &c. by ringing of any Bells, sounding of any Trumpet, Drumme, Hoone or other instrument, or by firing of any Beacon, malicious speaking of any wordes, making any outcrie, setting up, or raising any bill or writing, or by any other deed or act, to raise any persons to the number of xii. or above, to the intent the same persons should doe commit, or put in use any of the actes aforesayd prohibited, &c. If the said persons so raised after request or commandement given as aforesayd, shall continue together as aforesayd, or unlawfully commit any of the things aforesayd. 1. P. 1. 2. 1. Cl. 16.

30. And for the wife or servant of any of the same persons so assembled, and for any other person whatsoever, willingly to lend, bring, deliver, or convey any money, harness, artillerie, weapon, meate, bread, drinke, or other vitale, to any person or persons so being assembled, during such time as they shall be together. 1. P. 1. 2. 1. Cl. 16.

31. And for any persons to the number of xl. or above, to assemble themselves in forcible manner unlawfully, to the intent to doe &c. any of the aforesayd things, or other felonious or rebellious acts, and to continue together by the space of thre houres after Proclamation made, at or nigh the place where they be assembled, or in some Market Towne next adjoining, after notice thereof to them given. But there shalbe no corruption of blood by reason of any of these Felonies. 1. P. 1. 2. 1. Cl. 16. S. Rices. 16. 17. 18. 19. 31.

32. And for any person which shall feloniously and with a malicious intent, either of his owne imagination, or of the speaking or reporting of any other, speake or report any false, seditious and slanderous Newes, Rumours, sayings, or tales of our Soueraigne Lady the Queene that now is, being once lawfully committed of any of the offences aforesayd. 23. Cl. 2. S. Newes. 5.

33. And for any person, which either within the Queenes Dominions or without, which shall advisedly, and with a malicious intent against our Soueraigne Lady, devise and write, print, or set forth any Booke, Rime, Ballade, Letter, or writing containing any false, seditious and slanderous matter to the defamation of the Queene, or to the encouraging, stirring or moving of any Insurrection or Rebellion within this Realme, or against the Dominions belonging to the same: Or shall advisedly and with a malicious intent against our said Soueraigne Lady procure or cause any such Booke, writing, &c. to be written, printed, published or set forth and the same offence not being punishable by the Statute made An. 23. Ed. 3. concerning Treason or declaration of Treason, or by any other Statute whereby any offence made or declared Treason. 23. Cl. 2. S. Newes. 6.

34. And for any person which during the life of our Queene Maie. either

Raising of lawfull assemblies.

Relieving persons unlawfully assembled

Persons unlawfully assembled

Slanderous newes of the Queene.

Slander of the Queene by booke, writing &c.

Felonie.

Seeking to know how long the Queene shall live or reign.

Withing the Queenes death or deprivation.

Receiving or relieving any Jesuite or Priest.

Undermining the Queenes Ordnance, Armour, or Warre.

Botwike.

either within her Dominions or without, which shall by setting or erecting of any figure or figures, or by casting Statutes, or by Calculations, or by any Propheying, Witchcraft, Conjuracions, or other like unlawful meanes whatsoever, seeke to know, and that set forth by expresse words, deedes, or writings how long her Maiestie shall live or continue, or who shall reigne as King or Queene of this Realme after her decease. Or shall advisedly and with a malicious intent against her Highnesse utter any direct Prophecies to any such intent and purpose. Or shall maliciously by any wordes, writing, or printing, with, will, or desire the death or deprivation of the Queenes Maiestie that now is, or any thing directly to the same effect. And to be Ayder, procurer and Abetter to any of the sayd offences, is also Felonie. But no attainder of any person for any offence made Felonie by this Act shall be adjudged to make the offender to forfeite any lands, tenements, or hereditaments any longer then onely during his owne life, or to make any corruption of blood to any heire of any such offender, or to make the wife of any such offender to loose her dower or title of dower, of, or in any lands, &c. or her Accion or interest to the same. 23. Elizabeth 2. See Newes. 7.

34. And for any person wittingly and willing to receive, relieue, comfort, ayde, or maintaine any Jesuite, Seminarie Priest, or other Priest, Deacon, or religious or Ecclesiasticall person whatsoever, being borne within this Realme, or any other the Queenes Highnesse Dominions, and heretofore (since the feast of Saint John the Baptist, Anno 1. Eliz.) made, ordeined or professed, or hereafter to be made, ordeined or professed, by any authority or jurisdiction derived, chalenged or pretended from the see of Rome, being at libertie or out of holde, knowing him to be a Jesuite, Seminarie Priest or such other Priest, Deacon, or religious or Ecclesiasticall person as is aforesayd. 27. Eliz. 2. S. Jesuites. 3.

35. And for any person or persons having the charge or custodie of any armour, ordnance, munition, shot, powder, or habiliments of warre, of the Queenes Maiestie her heires or successors, or of any victuals provided for the victualling of any Souldiers, Gunners, Partners, or Pioners, which shall for any lucre or gaine, or wittingly, advisedly, and of purpose to hinder or impeach her Maiesties service, imbecill, parloyne, or connay away any the same armour, ordnance, munition, shot or powder, habiliments of warre or victuals to the value of xx.s. at one or severall times, so that hee be impeached for the same within one yeere next after the offence done. But no Attainder for any offence by this Act shall make the offender to forfeit any lands any longer then onely during his life, or make any corruption of blood to the heire, or the wife to forfeite her dower. 31. Eliz. 4. S. Armour, &c.

36. And for any person perversely and maliciously to breake up or cut downe any part of new Botwike in Warland, in the County of Norfolk, or in the broken or otherwise called olde felde dike by Warland in the Isle

Use of City, in the Countie of Cambridge, or any other burke being parcell of the cytye; and uttermost part of the sayd Countrey of Marshland made for the defence of the same Countrey of Marshland, otherwise then in working upon the sayd bankes, and dikes, for the repaire of the same. 22. H. 8. 1. c. 1. and 3. H. 8. 19.

37 And wilfull killing by paysoning of any person, is wilfull murder. Paysoning, of malice prepensed. And the offenders, ayders, Abettors, procurers and counsaillers, shall suffer death and forfaiture as in other cases of wilfull murder. 1. Ed. 6. 12.

38 All men generally shall be ready at the commaundement, and summones of the Sherifes, and at the crie of the Countrey, to pursue and arrest Felons, when neede shall be, as well within Franchises as without, and they that will not, and thereof be attainted, shall make a grievous fine to the Queene, and if default be found in the Loyde of the Franchise, the Queene shall seise the Franchise into her hands. And if default be in the Bayliffe, he shall be one peere imprisoned, and after make a grievous fine, and if he have not whereof, he shall have two peeres imprisonment. And if the Sherife, Coroner, or any Bayliffe within such Franchise or without, for reward or entreatie, or any affinitie doe conceale, consent, or procure to conceale the Felonies done in their Liberties, or otherwise will not attache or arrest such Felons (where as they may) or otherwise will not doe their Offices for the favour that they beare to such offenders, and be thereof attainted, they shall be one peere imprisoned and make a grievous fine. And if they have not whereof to make fine, they shall be three peeres imprisoned. West. 1. 3. Ed. 1. 9. upon all homicides, burglaries, men slaine or put in great danger, buy and crie shall be leued, and every man shall follow the buy and crie, and offenders steps, if it may be, and whosoever doeth not, and is thereupon convicted, shall be attached to appeare before the Justices of Gaole delivrie. 3. Ed. 1. Officium Coronatoris.

Every man shall pursue Felons.

Concealment or not attaching of felons.

Buy and crie.

Persons suspected of Felonies.

39 If any man suspect such lewde persons as were in times past called Robertsmen, Mafours, or Drawlatches, of any manslaughters, Felonies or robberies, be it by day or night, they shall be incontinently arrested by the Constable of the Towne, and if it be within Franchise, delivered to the Bayliffes of the Franchise, and if in Gildable, to the Sherifs, and kept until the comming downe of the Justices of Gaole delivrie, who shall proceede to the delivrance of them. 5. Ed. 3. 13.

40 Notorious Felons which be openly known of euill fame, will not put themselves upon enquests of Felonies which any man doeth prosecute before the Justices at the Queenes suite, they shall be put in strait & hard prison, as those, which refuse the Law of the Realme, but this is not understood of prisoners, which be taken for a light suspicion. West. 1. 3. Ed. 1. 12.

The punishment of felons refusing lawfull trial.

41 That the Keeper of a Forrest, Park, or Warren may kill him which commeth within his charge to doe hurt, and will not yeeld. 5. Forest. 4.

2 That

Fesants, Partridges.

2 That he which killeth a Felon, which attempteth to robbe him shal forfeit nothing. S. Forfeitures. 2.

3 That the Iustices may award a writ of Restitution of stollen goods vpon the attainer of a Felon. S. Restitution. 1.

4 That the Queene shall haue Felons goods, and Annum, diem, and vastum, in their lands. S. Prerogatiue. 16.

5 That the Iustices of the Kings Bench, may remaund any murderet or Felon, and his indictment to be tried in the countrey. S. Remouer. 2.

6 That the goods of him which is imprisoned for Felonie, shall not be seised, before he be attainted thereof. S. Sherifes. 16.

7 That an abiured person committing Felonie shal lose the priuiledge of Sanctuarie. S. Sanctuarie. 9.

Fesants, Partridges.

IF any person doe take or cause to be taken any Fesants or Partridges by Luets, snares or other engins, out of his owne Warren, vpon the freeholde of another person, without the assent and speciall license of the owner or possessor of the same, he shall forfeit, &c. to the owner of the ground, and the A. to be recovered by A. B. &c. 11. H. 7. 17.

Killing of Fesants or Partridges in the night.

2 **N**o person shall take, kill, or destroy any Fesant or Partridges with any maner of nettes, snares, ginnes, engins, fowling, lo wising or other deuises whatsoeuer in the night time, vpon paine of forfeiture for euery Fesant so taken, killed or destroyed, contrary to the true meaning of this Act, x.s. and for euery Partridge x.s. The which sayd penalties if eny person so offending, doe not pay within ten dayes next after his or their conviction, then to haue one moneths imprisonment without baile or mainpryse. And further ouer and beside such forfeiture or imprisonment to put in bond with good sureties for the space of two yeres, that hee shall not take, kill or destroy, any Partridges or Fesants, contrary to the true meaning of this Act, the same bond to be taken by some Justice of the peace of the County where the sayd offence shall be committed, The one halfe of all which sayd severall forfeitures to be to the chiefe Lord, or Lords of the Liberties, Lordships or Manors, vpon and in which the same shall be so taken, killed or destroyed, and the other moitie to such person or persons as will sue for the same in any her Maiesties Courts of Record. by B. H. or J. wherein no W. C. D. &c. 23. Eliz. 10.

A remedie, where a Lord doeth dispense with the forfeiture, or giue license to do so.

3 **P**rovided alwayes, that if such person, to whom the one halfe of the sayd forfeiture is appointed for the taking, killing or destroying of Partridges & Fesants, contrary to the tenor of this Act, shal dispense with, license, or procure any taking, killing or destroying of any Partridges or Fesants, contrary to the fourme of this Act: Then all such forfeitures and penalties, as such person or persons should haue by vertue of this Act, shall be to the poore of the Parish where such taking, killing or destroying shall be committed:

mitted: And that to be leued or recovered in maner and fourme aforesayd, by any one of the Churchwardens of the Parish where the offence shall be committed. 23. Eliz. 10.

4 ¶ No person or persons shall haue, or with his Spaniels hunt in any ground where Corne or other Graine shall then growe, (except it be in his owne ground) at such time as any eared or roddeed Corne or Graine shall be standing and growing upon the same, nor before such time, as such Corne and Graine shall be shocked, rocked, hiled, or topped, vpon paine of forfeiture for euery time, that he shall so haue or hunt as aforesayd, (without the consent of the owner of the Corne or Graine) to such person or persons as shall be owner of the said eared or roddeed Corne or Graine xl.s. and the same to be leued and recovered in maner and fourme aforesayd. 23. Eliz. 10.

hawking in eared or roddeed Corne.

5 ¶ Provided alwayes, that this Act shall not in any wise extend to Lowbellers, Trammelers or others, which shall unwillingly happen to take any Partridges or Fesants by night vnder any Trammel, Lowbell, Roadnet, or other engine, So as they and euery of them doe presently loose and let goe euery Fesant and Partridge so taken, and suffer them presently to flic and goe at large at the place where they shall happen so to be taken, without willingly killing, or wilfully hurting any such Fesant or Partridge, so taken in any maner of sort, Any thing in this Act to the contrary notwithstanding. 23. Eliz. 10. S. Iustices of Peace. 38.

Taking Partridges or Fesants and letting them goe againe.

Fifteenes.

¶ **A**ll Forreins, hauing lands, or tenements, goods, or cattels within any Townes at the day of the graunt of any distme, Fifteene, or ther taxe, although they leade away their beasts, or carry away their goods and cattels out of the same Towne after the day of the sayd graunt, yet euery of them shall be contributorye with the inhabitants of such Townes, to such distme, fifteene or taxe, and the Collecters of the same distme, fifteene or taxe for the time being, within such Townes haue power by authoritie of their Office, to take and asseesse such Forreins according to the quantitie of their goods, cattels and possessions, being in the sayd Townes at the day of the graunt of the sayd distmes, fifteene or taxe, and for the same summes whereto they be asseessed or taxed, to distraine in euery place within the sayd Countie, aswell before the Queene be answered of y^e whole summes that attaine to the said townes, as after. But no man or woman shall be twice charged for any such beastes, goods, or cattels in any wise by occasion thereof. 9. H. 4. 7.

Cattel charged able to the ry. where they be the time of the same granted.

Fighting, Quarelling.

¶ **I**f any person shall maliciously strike any other person, whereby blood shall be shed, in any of the Queenes houses or Palaces, or in any other house, where the Queene, Daiesie, her heires, &c. shall be at that time abiding in her Royall person, or within any edifices, Courts, places, gardens, orchards,

Drawing of blood within the Queenes Palace.

Fighting, Quarelling.

orchards, or houses within the Porters ward of any of the houses above rehearsed, or within any gardens, priuie walks, orchards, tilpards, woodyards, tennis playes, cocke fights, bowling allies neere adioyning to any of the sayd houses, and being part of the same, or within two hundred foote of the stander of any outward gate or gates of any of the sayd houses, commonly vbled for passage from any of the houses &c. and shall be thereof indicted, arraigned, and attainted according to the statute in that case provided, he shall haue his right hand stricken off, be imprisoned during his life, and make fine to the Queene at her pleasure. But this act, nor the paines and forfeitures before rehearsed, shall not extend to any Noble man or other person that shall strike his seruant within the sayd Palaces or houses, or the limits of the same, with his hand or fist or any small staffe or sticke, for correction for any offence committed, nor to any of the Queenes Officers that in executing his Office, shall strike any person with his hand, fist or small staffe, sticke or tipstaffe, nor to any other person, that in doing seruice at any triumph, or any other time of seruice, by the Queenes, or any of her Counsell, or other her head Officers commaundement, shall for the executing of his sayd seruice, strike any person with his hand, fist, small staffe, or sticke or any tipstaffe, within the same Palace, house &c. although by reason of the same stroke or strokes there happen to be any bloodshed of such person as shall be so stricken, except the person so stricken dye at the same stroke within one yeere next after. 33. H. 8. 12. Howe the offender in this case shall be indicted, and tried. S. Triall. 4. 5. 6.

Chiding in the
Church or
Churchyard.

2 ¶ If any person whatsoever, doe by wordes onely, quarell, chide or braule in any Church or Churchyard, then it shall be lawfull to the Ordinarie of the place where the offence is done and prooued by two lawfull witnesses, to suspend him (being a lay man) ab ingressu Ecclesie, and being a Clerke, from the ministration of his Office, so long as he thinketh meete, according to the fault. 5. Ed. 6. 4.

Smiting in
Church or
Churchyard.

3 ¶ Whosoever shall smite, or lay violent hands vpon another, in any Church or Churchyard, shall be deemed ipso facto excommunicat, and excluded from the felowship and company of Christs congregation. 5. Ed. 6. 4.

Drawing or
smiting with a
weapon in a
Church or
Churchyard.

4 ¶ If any person shall maliciously strike any person with any weapon, in any Church or Churchyard, or shall draw any weapon, in any Church or Churchyard, to the intent to strike another with the same: then euery person so offending, and thereof being convicted by verdict of twelue men or by his owne confession, or by two lawfull witnesses before the Iustices of Assise, Iustices of oyer and determiner, or Iustices of Peace in their Sessions, shall be adiudged by the same Iustices, before whom such person shall be convicted, to haue one of his eares cut off. And if the person or persons so offending, haue none eares, whereby they should receiue such punishment as is before declared, then he or they to be marked and burned in the cheeke with an hot yron, hauing the letter (F) whereby he or they may be knowne and taken

taken for fray makers and fighters, and besides that every such person to be and stand, ipso facto, excommunicated as is aforesaid. 5. & 6. Ed. 6. 4.

5. **C** If any assault or fray be made upon any Lord Spiritual, or Temporal, Knight of the Shire, Citizen, or Burgesse, come to the Parliament, or to the Queenes Counsell by her commaundement, and there being and attending, then proclamation shall be made in the most open place of the Towne by three severall dayes, where the assay was made, that the partie that made such assay or assault shall yeeld himselfe in the Kings Bench within a quarter of a yeere next after the Proclamation made, if it be in the Terme time, or otherwise at the first day of the Terme following the sayd quarter. And if he do not, he shall be attainted of the saide deede, and pay to the partie grieved his double damages to be taxed by the discretion of the Iustices of the same Bench; or by enquest, if it be needfull, and shall make fine and ransom at the Queenes pleasure. And if he come and be found guilty by enquest, by examination or otherwise of such assay or assault, then he shall pay to the partie grieved his double damages found by the enquest, or to be taxed by the discretion of the sayd Iustices, and make fine and ransom at the Queenes pleasure. 11. H. 6. 11. The like punishment shall hee have which maketh assault or fray in the Parliament time upon any mensall servant of any Knight of the Parliament, or &c. which doeth come to the Parliament with his master. 5. H. 4. 6.

Assaults upon them which come to the Parliament

Attainting the servant of him which cometh to the Parliament

Fines.

As well the parties plaintifes or demaundants, as the tenants and defendants, which wil knowlege or yeelde their right or tenements to others in pleas of Warrantia charte, Couenant, and other like, whereupon Fines are to be leuied, shall come personally before the Iustices of the Common place, before the same Fines be leuied, that their age, Idiotie, or other defect (if there be any) may be discerned and iudged by them, but if any man which is olde, decrepit, or impotent by any casualltie, be so oppressed or detained, that hee is not by any meanes able to come before the sayd Iustices, Then two or one of the sayd Iustices by the assent of the whole Bench, shall goe into him which is so diseased, and shall receive his cognisance, vpon the plea or fourme of plea, which hee hath in the Queenes Court, whereupon the sayd Fine ought to be leuied, and if there goe but one, hee shall take with him an Abbot, a Prior, or a Knight, being a man of credit and good name, and shall certifye the Iustices of the Common place thereof by their Record, So that all things incident to the Fine being by him or them well examined, the same Fines may be duly leuied. Carleil. 15. Ed. 2.

The comings in the fine shall come personally before the Iustices

A fine taken by distress possession

The order of the Lawe will not permit a Finall accorde to be leuied in the Queenes Court, without an originall writte, and that must be at the least before foure Iustices of the Bench, or in Cire, and not otherwise, and in presence of the parties named in the writ, which be of full age, good

A fine cannot be leuied without an originall writte

Q. i.

memorie,

If fine levied
by a warrant
court.

If fine procla-
med.

Who shalbe
concluded by
a fine and who
not.

Every stran-
gers right sa-
ved which he
possesseth by.

The right of
strangers sa-
ved which shal
come to them.

Action main-
tainable a-
gainst person
of the profits.

The right of
Infants, wo-
men court,

memorie, and out of prison. And if a woman which is covert baron, be one of the parties, then it behoueth that she be first examined before the said four Justices, and if she doe not assent to the Fine, it shall not be levied, *Stat. de finibus. 1 R. 2. c. 1.*

3 After the ingrossing of every fine to be levied in y^e Queens Court, before her Justices of the Common pleas, of any lands, tenements or other hereditaments, the same fine shall be openly and solempnly read and proclaime in the same Court the same Terme, and in three Termes then next following the same ingrossing in the same Court, at four several dayes in every Terme, and in the same time that it is so read and proclaime, all pleas shall cease. *1 R. 3. 7. 4. D. 7. 24.* All Fines with proclamations from and after the feast of Easter next ensuing to be levied in the said Court (viz. of the Common pleas) shall be proclaimed ouely four times, that is to say, once in the Terme wherein it is ingrossed, and once in every of the three Termes holden next after the same ingrossing. And every fine proclaimed as aforesayd, shall be of as great force and effect in Lawe to all intents and purposes, as if the same had bene seven times proclaimed according to the statutes heretofore made. *3 1. EL. 2.*

4 And the sayd proclamations so had and made, the said fine shall be a small ende, and conclude as well privies as strangers to the same except women covert (other then be parties to the sayd fine) and every person then being within age of xxi. yeeres, in prison, or out of this Realme, or not of whole minde at the time of the sayd fine levied, nor partie to such Fines. *1 R. 3. 7. 4. D. 7. 24.*

5 Saving to every person or persons, and to their heires (other then the parties in the sayd fine) such right, claime, and interest, as they have, to, or in the sayd lands, tenements or other hereditaments, time of such fine ingrossed, so that they pursue their title, claime or interest by way of Action or lawfull entrie, within five yeeres next after the sayd proclamations had and made. *1 R. 3. 7. 4. D. 7. 24.*

6 And saving to all other persons, such action, right title, claime, and interest, in, or to the sayd lands, tenements, or other hereditaments, as first shall growe, remaine or descend, or come to them after the said fine ingrossed, and proclamation made by force of any gift in the taile, or by any other cause or matter had and made, before the sayd fine levied, so that they take their Action, or pursue their sayd right and title according to the Lawe within five yeeres next after such Action, right, title, claime, or interest to them accrued, descended, remained, fallen or come: And the sayd persons and their heires may have their said Action against the person of the profits of the said lands and tenements and other hereditaments, time of the sayd Action to be taken. *1 R. 3. 7. 4. D. 7. 24.*

7 And if the same persons, at the time of such Action, right, and title, accrued, descended, remained, or come unto them, be covert baron, or within age,

age, in prison or out of this land, or not of whole minde; then their Action, right, and title shalbe reserved, and saved to them, and to their heires, vnto the time they come and be at their full age of xxi. yeeres, out of prison, within this land, vncouert, and of whole minde, so that they or their heires take their sayd Actions, or their lawfull entrie, according to their right and title, within five yeeres next after that they come, and be at their full age, out of prison, within this land, vncouert, and of whole minde, and the same Actions pursue, or other lawfull entrie take, according to the Law. But all such persons as be couert baron, not partie to the fine, and every person being within age, in prison, or out of this land, or not of whole minde at the time of the sayd fines leuied, and ingrossed, hauing any right or title, or cause of Action to any of the sayd lands and other hereditaments, they or their heires inheritable to the same, shall take their sayd Actions, or lawfull entrie according to their right and title, within five yeeres next after they come and be of full age of twentieth yeeres, out of prison, vncouert, within this land, and of whole minde, and the same Actions sue, or their lawfull entrie take and pursue according to the Lawe. And if they doe not take their Actions and entrie as is aforesayd, they and every of them, and their heires, and the heires of every of them, shall be concluded by the sayd fines for ever in like sort as they be, that be parties or priuies to the sayd fines. 1.R.3.7.4. H.7.24.

persons imprisoned, out of this land, and not of whole mind, saved.

8 ¶ Having to every person and persons not partie nor priuie to the sayd Fine, their exception, to auoyde the sayd Fine, by that, that those that were parties to the Fine, nor any of them, nor no person nor persons to their vse, ne to the vse of any of them, had nothing in the lands and tenements comprised in the said Fine, at the time of the sayd Fine leuied. 4. H.7.24.

Exception by the parties to the fine had nothing in the land.

9 ¶ Anno 1. R.3.7. it is enacted; that a transcript of the same Fine shall be sent by the sayd Iustices of the Common ples, to the Iustices of Assise of the Countie where the sayd lands and tenements be, they to cause the sayd Fine to be read and proclaymed openly, and solemnly in every their Sessions of Assise to be holden the same yeere, if Assises doe then hold, and all the pleas in the meane time to cease, Also a like transcript of the same Fine shall be sent to the Iustices of Peace of the Countie where the sayd lands and tenements be, they to cause open and solempne proclamation of the sayd Fine to be made at foure seuerall Sessions of the Peace to be holden the same yeere. The sayde Iustices of Assises, and also Iustices of Peace to certifie the same proclamation to the Queenes Iustices of the Common ples, at the second day of returne of the Terme then next following.

the fine proclaimed at the general assise and quarters Sessions.

Quare for the vse hereof.

Quare.

10 ¶ Every Fine that shall be leuied in any of the Queenes Courts of any Barons lands, tenements, or other possessions after the maner, vse, and forme that Fines haue bene leuied before the making of these Actes, be of like force, effect, and authoritie, as Fines so leuied bee, or were before the making of these Actes, and every person shalbe at his libertie to leuie any fine

Fines at the common lawes be of the same force they were.

after his pleasure, whether he will after the forme contained and ordeined in, and by these Actes of any of them, or after the maner and forme beforetime used. 4.H.7.24.1.R.3.7.

Fines may be leuied according to the common lawe, or either of these statutes.

Proclamations not made by the adiournment of any terme.

Fines leuied before the Justices of Assise at Lancaster.

Fines leuied before the Justices of Assise at Durham.

Fines leuied before the Justices of Assise at Durham.

Fines leuied before the high Justice at Chester of lands in Cheshire.

11 All Fines aswell heretofore leuied, as hereafter to be leuied before the Justices of the Common ples, of any Honors, lands, tenements, or other hereditaments, whereupon the Proclamations haue not, or shal not by reason of adiournment of any Terme by writ be duely made: Shall be of as good force, effect and strength to all intents, constructions, and purposes, as if any Terme heretofore adiourned, or that at any time hereafter shall be so adiourned, had bene holden and kept, from the beginning to the end thereof not adiourned, and Proclamation therein made, according to the fourme and effect of the sayd statute of 4.H.7.1.M.1.Parl.7.

12 All Fines which shall be leuied before the Justices of Assise at Lancaster, or before one of them, of any lands, tenements, or other hereditaments lying within the Countie Palantine of Lancaster, which shall be openly read, and proclaymed three seuerall dayes in the open Sessions in the presence of the Justices of Assise at Lancaster, or one of them, at the same Sessions, that the same Fine shall be ingrossed, and also at the two next Generall Sessions, that shall be holden in the sayd Countie before the Justices of Assise of the same Countie, or before one of them, next after the leuying or ingrossing of such sayd Fine, at three seuerall dayes in either of the sayd two Sessions, after such maner and forme, as is commonly used in the Common place at Westminster, shalbe of like force to all intents, as Fines being duely leuied with proclamations before the Queenes Justices of her common ples be or ought to be of 37.H.8.19. And al & singular fines which at any time hereafter shall be leuied or knowledged before the Justice or Justices of the Countie Palantine of Durham for the time being authorized for that purpose and cause, of any lands, tenements or other hereditaments, lying or being within the sayd Countie Palantine of Durham which shall be openly read and proclaymed two seuerall dayes in the open Sessions in the presence of the Justices of Assise at Durham, or one of them for the time being at the same Sessions, that the same Fine shall fortune to be ingrossed, and also that shalbe openly read & proclaymed in the presence of the Justices of Assise at Durham or one of them for the time being at the the two next Generall Sessions that shall be holden in the Countie Palantine of Durham before the Justices of the same Countie, commonly called Justices of Assise at Durham, or one of them, next after the leuying or ingrossing of such sayd Fine, shalbe of like, and of the same force, strength and effect in the law to all intents, constructions and purposes, as Fines being duely leuied with Proclamations before the Queenes Justices of her Common ples at Westminster be or ought to be. 5.El.27.

13 Fines which shalbe leuied before the high Justice of the Countie Palantine of Chester, or before the Deputy or Lieutenant Justice there

for the time being, of any lands, tenements, or other hereditaments lying within the said County Palatine of Chester, which shall be openly read and proclaimed three severall dayes in the open Session, in the presence of the Justice of the said County Palatine, or before the Deputie or Lieutenant Justice there, at the same Sessions that the same Fine shall be ingrossed, and also at the two next Generall Sessions that shall be holden in the said Countie, next after the leuying and ingrossing of such fine at three severall dayes in either of the said two Sessions, after such manner and forme, as is commonly used in the Common place at West, shall be of like force to all intents, as fines being duly leued with Proclamations before the Queenes Justices of her common pless be or ought to be of. 2. Ed. 6. 28.

14. **C** All and singular fines as well heretofore leued, as hereafter to be leued before the Justices of the common pless, with Proclamations according to the foresayd Stat. made 4. H. 7. by any person or persons of full age of xxi. yeres, of any Manors, lands, tenements or other hereditaments before the time of the same fine leued in any wise entailed to the person or persons so leuying the same fine, or to any the ancestor or ancestors of the same person or persons in possession, reversion, remainder, or in use, shall be immediately after the same fine leued, ingrossed, and Proclamations made, adjudged, and taken to all intents, a sufficient barre and discharge for ever, against the same person and persons, and their heires, claiming the sayd lands, tenements and hereditaments, or any parcel thereof, only by force of any such entail, and against all other persons claiming the same, or any parcel thereof only to their use, or to the use of any manner of heire of the bodies of them. 32. H. 8. 36.

If fine leued by remane in taile, shall be a barre to the price of his body.

15. **C** But this Act shall not extend to barre the lawfull entry, title or interest of any heires or persons, given or accrued to any of them, in or to any Manors, lands, tenements or hereditaments, by reason of any fine leued by any woman after the deach of her husband, contrary to the forme, intent and effect of the Statute made 11. H. 7. 20. of any Manors, lands, tenements and hereditaments, of the inheritance of purchase of the said husband, or of any his ancestors, given or assigned to any such woman in dower, for terme of life or in taile, in use or in possession. But the same Act made 11. H. 7. shall remaine in full strength, in every clause therein contained, as though this Act had not bene made. 32. H. 8. 36. S. Woman. 1.

Fine leued by the wife of the inheritance of her late husband.

19. **C** Neither shall this Act extend to any fine heretofore leued or hereafter to be leued of any Lordships, Manors, lands, tenements or other hereditaments, the possessioners and owners whereof, by reason of any expresse wordes contained in any especiall Act or Actes of Parliament made since 4. H. 7. be bounden or restrained from making any Alienations, discontinuances, or other alterations of any of the same Manors, lands &c. contained in the sayd fine. But every such fine shall be of such like force and strength in the Law, and of none other effect, then the same should have bene, if this Act had

If fine leued by him which is restrained by parliament

had neuer bene made. 32. H. 8. 36.

Fines of Ads
whereof the
reuerſion is in
the Queene.

17 Neither ſhall this Act extend to any Fine leuied by any perſon of any Barons lands, tenements, or hereditaments before the time of the leuying of the ſame Fine giuen; graunted or assigned to the ſayd perſon, or to any of his anceſters in the taile, by vertue of any letters patents of King H. 8. or of any of his progenitors, or by vertue of any Act or Actes of Parliament, the reuerſion whereof at the time of the ſame fine leuied being in ſ. Queene, her heires, or ſucceſſors: But euery ſuch fine ſhalbe of like force and effect as they were or ſhould haue bene, if this Act had not bene made. 32. H. 8. 36.

Exceptio that
the demandant
ſc. was al-
wayes ſeised.

18 No exception, anſwer, or Inquiſition of the Countrey ſhall be admitted by any perſons being parties to any Fines, or by their heires to a- uoyde and defeate ſuch Fines, in all adgging that before the Fine leuied, at the leuying thereof, and ſince the fine leuied the demandants or plaintifes or their auncesſers were alwayes ſeised of the land contained in the Fine, or of ſome parcel thereof. Stat. de finibus. 27. Ed. 1. 1.

Inrolment of
fines and reco-
ueries.

19 Every writ of Couenant and other writ, whereupon any Fine heretofore hath bene leuied, or hereafter ſhalbe leuied; the returne thereof, the writ of Dedimus poſteſtatem, made for the knowledging of any of ſ. ſame Fines, the returne thereof, the concord, note and foote of euery ſuch Fine, the Proclamations made thereupon, and the Kings ſiluer. And alſo euery origi- nall writ of Entry in the poſt, or other writ, wherupon any common Reco- uery hath bene ſuffered; or hereafter ſhall be ſuffered or paſſed, the writs of Sum. ad warrantizand. the returnes of the ſayd originals and writs of Sum. ad warrantizand. and euery warrant of Atturney; had or to be had, alwe l of euery demandant and tenant as vouchee extant and remaining, or that ſhall be extant and in bring, may vpon the request or election of any perſon be in- rrouled in the rroules of parchment by ſuch perſons, and for ſuch conſiderati- ons as hereafter in this Act ſhalbe mentioned: And the Inrolments of the ſame, or of any part thereof, ſhall be of as good force and validitie in Lawe to all intents, for ſo much of any of them ſo Inrouled, as the ſame being extant and remaining were or ought by Law to be. 23. El. 3.

For what Er-
rors, fines, and
recoeries are
not reuerſable.

20 No Fine, proclamations vpon Fines, or common Recovery here- tofore had, leuied, ſuffered or paſſed, or hereafter to be had, leuied, ſuffered or paſſed, ſhalbe reuerſed or reuerſable by any writ of Error, for falſe, or in- congrue latin, caſure, enterling, miſentring of any warrant of Atturney, or of any proclamation, miſreturning or not returnig of the Sheriſe, or other want of fourme in wordes, and not in matter of ſubſtance. 23. El. 3.

What perſons
may haue
writs of error
to reuerſe
fines, and in
what caſes.

21 Provided alwayes, that this Act nor any thing therein contained, ſhall barre or exclude any perſon, or perſons, from any writ of Error, which ſhalbe had, taken or purſued, within ſix yeeres next after the end of the Seſ- ſion of this preſent Parliament, vpon any Fine, or Recovery heretofore had or ſuffered. Nor from any writ of Error which ſhall be had, taken, or pur- ſued, vpon any Fine for Recovery, heretofore leuied, knowledged, or had, which

which fine or fines, recovery or recoveries, or any part or parcel of them, or any of them, now is, or at any time before the first day of June, which shall be in An. Dom. 1581, shall be exemplified under the Great Seal of England, at and by the suite of any person, that is, or may be intituled to have or sue any writ of Error upon any the Fines or Recoveries heretofore passed, nor to beare any femme covert, or any person within the age of xxi. yeeres, or any person that is non Compos mentis, in prison, or beyond the Seas of or from any writ of Error to be had or prosecuted, for the reuersing of any Fine or Recovery heretofore passed, leuied or suffered, so that such femme covert, or her heires, within seven yeeres next after that she become sole, and such person within the age of xxi. yeeres, or his heires, within seven yeeres next after he shall come and be of full age of xxi. yeeres. And such person that is non Compos mentis within seven yeeres next after hee shall become of safe memorie, and in default thereof, the heires of such person that is non Compos mentis within seven yeeres after the death of such person being non Compos mentis. And such person in prison or his heires, within seven yeeres next after the same person shall be at libertie. And such person beyond the Seas or his heires, within seven yeeres next after the returne of such person, into this Realme of England, or the death of the sayd person, if he shall before his returne, dye in any foreine Countrey, shall sue, take and prosecute their writs of Errour, as their cases severally shall require, for reuersing of any the sayd Fines or Recoveries, heretofore passed, leuied or suffered. 23. El. 3.

23. **C** Provided alwayes, that if any person or persons, shall within the time and yerres afoze mentioned, commence or sue his or their writs of error, for the reuersing of any the sayd fines or recoveries heretofore passed, which suite shal fortune to abate by the death of any the parties to the same, Then it shall & may be lawfull for his and their heires, at any time within one yeere next after the said seven yeeres expired, to haue, sue, and take their writ of Error, for the reuersing of euery such fine, and recovery. And if such heire be an Infant, within the age of xxi. yeeres, then within one yeere next after the full age of such Infant. Any thing in this Act &c. notwithstanding. 23. El. 3.

23. **C** Every person that shall at any time hereafter take the knowledge of any Fine or warrant of Atturney, of any tenant or vouchee, for suffering any common Recovery, or shall certifie them or any of them, shall with the Certificat of the concord or warrant of Atturney, certifie also the day & pere wherein the same was knowledged. And no person that taketh any such knowledge of any Fine or warrant for any recovery, shall be bounden, or by any meanes enforced, to certifie any such knowledge, or warrant, except it be within one yeere next after the sayd knowledge taken. And no Clerke or Officer shall receiue any writ of Couenant, or writ of Entry, whereupon any Fine or common Recovery is hereafter to passe, vntill the day of the knowledge of the same fine and warrant shall appeare, in or by such certifi-

A remedy for
a heire, where
the ancestor
dieth hanging
the suite.

The day and
pere of the
knowledge of
a fine, or war-
rant of Attur-
ney, for a reco-
uery, shalbe
certified.

Attournment.

upon paine that euery Clerke that shall receiue any such writte, shall forfeyt for euery time that he shall so offend v.li. And that no Attournment in or vpon any fine, be entered vpon Record, except the partie mentioned to attourne there in, first haue appeared in the Court in person, or by Attourney warranted by the hand of one of the Iustices of the one bench or y other, or of one Iustice of Assise, vpon a writte of Quid iuris clamat, quem redditum reddit, or per que seruicia, as the case requirerh: And euery Entrie of Attournment hereafter to be made, where there shalbe no apparance, as afoze is sayd, shalbe utterly voyde, and of none effect, without any writte of Error, or other meanes to be vsed for auoyding thereof. 23. El. 3.

The office of inroulements.

24. There shalbe for euer one office for y inroulement afozesaid, which shalbe and continue an Office for euer, called the Office of inroulements of writtes for Fines and Recoueries. And the Iustices of the Common ples for the time being (other then the chiefe Iustice) shall haue and take the care and charge of and for the inroulements afozesayd, and shal haue and enioy the sayd Office and the disposition thereof, and carefully see and looke to the execution thereof: and in consideration of their charges, paine and trauell therein, shall haue and take the summes of money hereafter following, and no more. That is to say, for the inroulement and examination of euery fine, and the parties thereof before mentioned, the summe of five shillings eight pence. And for inroulement of the sayd partes of euery Recovery, and the examination thereof five shillings eight pence. And for euery exemplification of the inroulement of any Fine five shillings. And for exemplification and returnes of euery writte of Entrie, Summons and Warrantizands and Warrants, five shillings. And for the Search of the Roules of one peere, foure pence. And for the copy of one sheete of paper containing xiii. lines, foure pence. And the said Iustices or one of them, shall examine the inroulements of euery such Fine, and partes of Recoueries, and forthwith after examination thereof, and immediately after the inroulement of euery such Fine and partes of Recoueries, write his name that so examineth, with his owne hand in theoule thereof, vpon paine that the sayd Iustices shall forsaite to the Queene v.li. for euery time that they, or some one of them shall make default of such examination, or writing of his or their name, as afoze is sayd. And it shall and may be lawfull to and for the Iustices of the sayd Court or Common ples, from time to time, to take order in all things that shalbe conuenient, and needful for the inroulements afozesaid. And vpon examination in the said Court of assesse such fine or amercement, vpon any Clerke, Sheriffe, Deputie, Attourney, and other person for his & their mispysion, contempt, and negligence, for not doing, or misdoing in any thing, of, in, or concerning the sayd Fines and Recoueries, or any part of them or either of them, as by the sayd Iustices of the sayd Court of Common ples for the time being, shalbe thought meete and conuenient, The said Fine & amercement to be estreated amongst other Fines and amercements of that Court, where such offence

Assessing of fines for mispysion, contempt, or negligence.

of misprision shall be committed. 23. Eliz. 3.

25. ¶ The Chirographer of Fines of the common Pleas for the time being, for ever that write and make, or cause to be written and made for every Countie, where her Majesties writ runneth, one Table, wherein shall be contained such contents of every Fine, that shall passe in any one Terme, as hereafter is mentioned, that is to say, the name of the Countie, wherein the tenements mentioned in any Fine be, the name of every plaintife and defendant, and of every Man or named in the Fine, if any such be, and of the Townes and places where the tenements in such Fine comprised doe lie. And the first day of the next Terme, after the ingrossing of every such Fine, shall fixe every of the saide Tables, vpon some open place of the Court of common Pleas, and so every day of the saide Terme during the time of sitting of the saide Court. And the saide Chirographer shall deliver to every Sherife of every Countie, his vnder Sherife or deputie, faire written in Parchment, a perfect content of the table, so to be made for that Shire, in the Terme that shall be, next before the Assises be holden in the said Countie, or els meane betweene that Terme and the said Assises. And every such Sherife to whom such parchments with the contents aforesaid, shall be delivered the first day of the next Assises after the deliverie thereof vnto him, and every day during the said Assises, shall fixe and set by the same writing vndeaced in some open place in the Court where the Iustices of the Assise of that Countie shall sit, and shall see the same to continue there, during such time as the said Iustices shall sit there in Court, vpon paine that every Chirographer and Sherife offending against any thing in this Acte conceyned, shall forfeite to the Queene and J. b. li. to be recovered in any Court of Record, wherein no Essoine, P. or W. shalbe allowed. And the Chirographer for the time being, shall haue and take for every such content of every Fine so set downe, in the Table aforesaid iii. s. 23. Eliz. 3.

A table containing the content of every fine, shalbe set by in the common place and at the generall assises.

The Chirographer his fee for the content of a fine.

26. ¶ And for as much as vpon great examination it appeareth, that diuers Fines & Recoveries haue bene heretofore leuied & suffered of diuers Manors, Messuages, Landes, Tenements, & Hereditaments, which sometime were y^e inheritance of George sometime Earle of Kent, great graundfather to Henrie now Earle of Kent, in vse, possession, reuerision or remainder, whereunto the said now Earle of Kent pretendeth title, in vse, possession, reuerision, or remainder, which if they be erroneous, as is pretended, doe much vary from the generall cause and mischief, for which this Statute meaneth to prouide: Therefore this Statute, nor any thing therein contained, shall extend to take away any Witte of Error, whereunto any person or persons is now, or hereafter shall be lawfully intituled for the reuerision of the said Fines and Recoveries, or any of them heretofore leuied or suffered of any of the saide Manours, Messuages, Landes, Tenements, or Hereditaments, which late were any part or parcell of the inheritance of the said George, sometime Earle of Kent, in vse, possession, reuerision or remainder,

Earle of Kent his title.

mainder, Any thing in this Statute or, notwithstanding. 23. Elizab.
beth 3.

Records are
not to be re-
moued fro the
of the office.

No fines or
recoueries as
remended, after
exemplifica-
tion.

Inrolment of
fines & recou-
ries in Wales
and the Coun-
ties palantine.

Glamorgan,
Brechynocke,
Radnor,
Carmarthen,
Pembroke,
Cardigan,
Mentmore,
Denbigh,
Flint,
Carnarvon,
Anglesey and
Merioneth.

For what Er-
rors, fines,
& Recoueries
are not tenur-
able.

It shall and may be lawfull for the Justices Clerkes authorized
by their warrant in the said seuerall offices, and places where the same Re-
cordes, or any of them doe or shall remaine, to write out, or inroule the same
Recordes, and euery part thereof, without any thing to be paid therefor:
And the said Recordes, nor any of them, for the writing out, or making the
Rolles thereof, by the Clerkes of the said Justices, otherwise then for the
examination thereof by the Justices, shalbe brought, or carried forth of the
said offices, or places. 23. Eliz.

28. ¶ None of the Fines or Recoueries heretofore leuied, passed, or suf-
fered, which shall be exemplified vnder the great Seale, according to the
forme of this Act, shall after such exemplification had, be in any wise amen-
ded. 23. Eliz.

29. ¶ Every writ of covenant, & other writ whereupon any Fine here-
tofoze hath bene leuied, or hereafter shall be leuied, the retorne thereof, the
writte of Dedimus Potestatem for the acknowledging of any of the same
Fines, the retorne thereof, the concord, note, and foote of euery such Fine,
the Proclamations made thereupon, and the Kings Muer, & also euery ori-
ginal writte of entree in the Poss, or other writte whereupon any common
recouery hath bene suffered, or hereafter shalbe suffered or passed, the writ of
Summons ad warrantizandum, the retournes of the said originals, and writs
of Summons ad warrantizandum, and euery warrant of Atturney, had, or
to be had, aswell of euery demandant and tenant, as Vouchee extant and re-
maining, or that shalbe extant and being in the Courtes of Assises or great
Sessions within the twelue Shires of Wales, Towne and Countie of Har-
terford West, and Counties palantines of Chester, Lancaster, and Dures-
me, or in the custodie of the officers, to whom the charge of keeping thereof
doth appertaine, may vpon the request or election of any person or persons,
be inrolled in rolles of parchment, by such persons and for such considerati-
ons, as hereafter in this Act shall be mentioned. And the Inrolments of
the same, or any part thereof shall be of as good force and valloie in Law
to all intentes, respectes, and purposes, for so much of any of them so enrol-
led as the same being extant and remaining were bought by Lawe to be.
27. Eliz. 9.

30. ¶ No Fine, Proclamations vpon Fines, or common Recoueries
heretofore had, leuied, suffered, or passed, or hereafter to be had, leuied, suffer-
ed, or passed in any of the said twelue Shires of Wales, Towne and Coun-
tie of Harterford West, or Counties palantine shall be reuerfed or reuerfa-
ble by any writte of Error, for false or incongrue Latine, rasure, interlining,
misentring, of any warrant of Atturney, or of any Proclamation misre-
coring, or not returning of the Sherife, or other want of forme in wordes,
and not in matter of substance. 27. Eliz. 9.

31. ¶ Provided

Provided alwayes, that neither this Act, nor any thing therein contained, shall barre or exclude any person or persons, from any writte of Error which shall be had, taken, or pursued within fine peeres next after the end of this Session of this present Parliament; vpon any Fine or Recouerie heretofore had or suffered in any of the Courtes aforesaid. Nor from any writ of Error, which shall be had, taken, or pursued vpon any Fine or Recouerie, heretofore in any of the Courtes aforesaid, within any of þe said twelue Shires of Wales, or Towne and Countie of Hauerford west: which Fine or Recouerie, or any part or parcell thereof now is, or at any time before the first day of Iune, which shall be in the yeere of our Lord God 1585. shall be exemplified vnder the Iudiciall seale of the said Courtes, at or by the suite of any person that is or may be entituled to haue or sue any writ of Error vpon any the same Fines or Recoueries so heretofore passed, Nor from any writ of Error which shall be had, taken, or pursued vpon any Fine or Recouerie heretofore leuted, knowledged, or had in any of the Courtes aforesaid, within any of the said Countiees Palatine, which Fine or Recouerie, or any part or parcell thereof now is, or at any time before the said first day of Iune, which shall be in the yeere of our Lord God 1585. shall be exemplified vnder the seale of the same Countie Palatine, where the same Fine or Recouerie shall be so leuted, knowledged, or had, at, or by the suite of any person that is or may be entituled to haue, or sue any writ of Error vpon the same Fine or Recouerie so heretofore passed. Nor to barre any Femme covert, or any person within the age of twentie one peeres, or any person that is non compos mentis, in prison, or beyond þe Seas, of, or from any writ of Error to be had, or prosecuted for the reuerling of any Fine or Recouerie heretofore passed, leuted, or suffered in any of the said twelue Shires of Wales, Towne and Countie of Hauerford West, or Countiees Palatine. So that such Femme covert or her heires within seven peeres next after that she become sole, and such person within the age of twentie one peeres, or his heires within seven peeres next after he shall come and be of full age of twentie one peeres, and such person that is non compos mentis within seven peeres next after he shall become of sane memoria, and in default thereof, the heires of such person that is (Non compos mentis) within seven peeres next after the death of any such person, being non compos mentis and such person in prison, or his heires within seven peeres next after the same person shall be at libertie, and such person beyond the Seas, or his heires within seven peeres next after the returne of such person into this Realme of Englande, or the death of the said person if hee shall before his returne die in any foraine Countrey, shall sue, take, and prosecute their Wittes of Error, as their causes shall severally require for reuerling of any of the said Fines or Recoueries heretofore passed, leuted, or suffered. 27. Eliz. 9.

If any person or persons shall within the time and peeres aforesaid commence or sue his or their wittes of Error, for the reuerling of any of the

In what cases
wittes of Error
shall be allowed.

The first case
is when the
writ is sued
within the
time and
peeres
aforesaid.

The second case
is when the
writ is sued
within the
time and
peeres
aforesaid
and the
person
sued is
dead.

The third case
is when the
writ is sued
within the
time and
peeres
aforesaid
and the
person
sued is
non compos
mentis.

The fourth case
is when the
writ is sued
within the
time and
peeres
aforesaid
and the
person
sued is
beyond the
seas.

The fifth case
is when the
writ is sued
within the
time and
peeres
aforesaid
and the
person
sued is
in prison.

The sixth case
is when the
writ is sued
within the
time and
peeres
aforesaid
and the
person
sued is
dead.

The seventh case
is when the
writ is sued
within the
time and
peeres
aforesaid
and the
person
sued is
non compos
mentis.

A remedie for
þe heire where
the Ancestors
dieeth hanging
the suite.

*A fine for
a life, where
the Minors
die hanging
the fine,*

*The day and
yeere of the
knowledge of
a fine of war-
rant of Attor-
ney for a reco-
uerie shalbe
certified.*

Attournement.

*The office of
Inrolments.*

Said Fines or Recoveries heretofore passed, which shalbe solemne to abate by the death of any of the parties to the same: Then it shall and may be taken full for his and their heirs at any time within one yeere next after the said seven yeeres expired, to have, sue, and take their writ of Error, for the reverting of every such Fine and Recovery. And if such heire be an Infant within the age of twentie one yeeres, then within one yeere next after the full age of such Infant. Any thing in this Act or, notwithstanding. 27. El. 9.

33. ¶ Every person that shall at any time hereafter take the knowledge of any fine, or warrant of Attorney, of any tenant or Clouthee for suffering any common recovery to be leuied, knowledged, passed or had, within any of the said twelve Shires of Wales, Towne & Countie of Haverford West, or Countiees Palantine, or shall certifie them or any of them, shall with the certificat of the concord, or warrant of Attorney, certifie also the day and yeere wherein the same was acknowledged. And no person that taketh any such knowledge of any fine or warrant for any recovery, shall be bound, or by any meanes enforced to certifie any such knowledge or warrant, except it be with in one yeere next after the said knowledge taken. And no Clerke or Officer in any of the said twelve Shires of Wales, Towne and Countie of Haverford West, or Countiees Palantine shall receive any writ of covenant or writ of entree, or any other writ whereupon any fine, or common recovery is hereafter to passe, unless the day of the knowledge of the same fine, and warrant shall appeare in or by such certificat, upon paine that every Clerke that shall receive any such writte, shall forfeit for every time that he shall so offend, the summe of fourtie shillings. And no attournement, in, or upon any such fine, in any the Courtes aforesaid shalbe entred upon record, except the partie mentioned to attorne therein, first haue appeared in the Court in person, or by Attorney warranted by the handes of one of the Justices of the same Court, upon a writte of quid Iuris clamat, quem redditum reddit, or per quæ servitia, as the cause requirerth, and every entrie of attournement hereafter to be made in any of the Courtes aforesaid, wherein there shall be no apparance as aforesaid, shalbe utterly void and of none effect without any writte of Error or other meanes used for auoiding thereof. 27. Elizabeth 9.

34. ¶ There shall be for euer an office for the Inrolments aforesaid in every of the said twelve Shires of Wales, Towne and Countie of Haverford West, and Countiees Palantine, which shall be and continue an Office for euer, called the office of the Inrolments of fines and recoveries. And the Justices of the said twelve Shires of Wales, Towne and Countie of Haverford West, and Countiees Palantine for the time being, that is to wit, every of them within the limits and precincts of their severall authorities and commissions, shal haue and take the care and charge of & for the Inrolments aforesaid, and shall haue and enjoy the said office, and the disposition thereof, and carefully see and looke to the execution thereof. And in consideration of their

their charges, paine and travail therein, shall have and take the summes of money hereafter following and no more, that is to say, for y^e inrolment and examination of every fine, and the partes thereof five shillings. And for the inrolment and examination of every recovery, and the partes thereof five shillings. And for every exemplification of the inrolment of every fine and the partes thereof three shillings four pence, and for every exemplification of the inrolment of every recovery, & the partes thereof three shillings four pence, and for the search of the Rolls for one yeere four pence, & for the copie of one sheete of paper containing fourtene lines, four pence. And the Justices of the said Courtes of Justices, or great Sessions for y^e time being, within the saide twelve Shires of Wales, Towne and Countie of Haverford West, and Countiees of Palatinate, or any one of them within the severall limits and precincts of their saide severall countiees, shall examine the inrolment of every such fine and recovery, and of the partes thereof, and after such examination of the inrolment of every such fine and recovery, and of the partes thereof, shall immediately write his name thereto as examiner, with his owne hand in the rolle thereof, upon paine that the said Justices shall forfait to the Queenes Majesty the summe of x. s. for every time that they or one of them shall make default of such examination, or writing of his or their name, as is aforesaid. And it shall and may be lawfull for the said Justices, or any of them for the time being, to take order in al things that shall be convenient and needefull for the inrolment aforesaid, and upon examination in the said Courtes to assesse such fine or amercement upon any Sheriffe, Clerke, Deputie, Attorney, or other person for his and their mispission, contempt, and negligence for not doing, or misdoing in any thing, of, in, or concerning the saide fines or recoveries, or any part of them, or eyther of them, as by the said Justices for the time being, or any one of them shall be thought meete and convenient. The said fine and amercement to be extracted amongst other fines and amerciements of that court, where such offence or mispission shall be committed. 27. Eliz. 9.

35 ¶ The exemplification of any such inrolment of any fine or recovery, or of any part thereof within any of the said twelve Shires of Wales, or of the said Towne & Countie of Haverford West, under the Iudiciall seale of the said Shire, Towne, or Countie where such fine or recovery was levied, had, or passed, & the exemplification of any such inrolment of any fine or recovery, or of any part thereof, within any of the said Countiees of Palatinate, under the seale of that Countie of Palatinate, where such fine or recovery was levied, had or passed, shall be of as good force and validitie in the law to all intents, respects and purposes, for such part and so much of any of them, as shall be so exemplified, as the very originall record it selfe being extant and remaining, were or ought by law to be. 27. Eliz. 9.

36 ¶ It shall be lawfull for the Justices clerkes, authorised by their warrant in the said severall offices and places, where the same Records or any

Fees for the
inrolment and
exemplifications
of fines &
recoveries.

Assessing of
fines for mis-
pission, con-
tempt, or neg-
ligence.

The exem-
plification of as
good force, as
the originall
record.

Records shall
not be remo-
ved forth of
of the offices.

of them doe or shall remaine, to write out, or inrolle the same Records, and every part thereof. And the said Records nor any of them, for the writing out, or making of the rolles thereof, by the Clerkes of the said Justices, shall be brought or carried forth of the said offices or places, 27. Eliz. 9.

No amend-
ment of fine or
recovery after
exemplificatiō.

37 None of the said Fines or Recoveries aforesaid heretofore leuied, passed or suffered, which shalbe exemplified vnder any Iudiciall seale of any of the said Shires of Wales, or Towne or Countie of Patterfory west, or vnder the seale of any of the said Countiees Palanting, according to the forme of this Act, that after such exemplifications had, be in any wise amended, 27. Eliz. 9.

Lord Powys.

Herbert.

Vernon.

38 This Act or any thing therein contayned, shall not in any wise extend to the prejudice of the heires of Sir Edward Grey Knight, Lord Powys deceased, or of Sir Edward Herbert Knight, or his heires or assignes, Perrie Vernon, or John Vernon, Esquires, or their heires or assignes for or concerning any Fine leuied, or Recovery suffered by or against the saide Lord Powys, or any Baronies, Honors, Mannours, Lands, Tenements, or Hereditaments, in the Countie of Pountomerie, or any exemplification thereof, or for, or concerning any writte of Error brought, or to be brought for the reuersing of any such Fine or Recovery. But that they and every of them, shall haue and enioy the same right, title, benefite and auantage to all intents and purposes, as if this Act had neuer bene had or made. 27. Elizabeth 9.

The Earle of
Kent.

39 And forasmuch as vpon great examination, it appeareth that vntill this Fines and Recoveries haue bene heretofore leuied and suffered of diuers Castles, Manors, Messuages, Landes, Tenements, and Hereditaments, which sometime were the inheritance of George, sometime Earle of Kent, great grandfather to Perrie, now Earle of Kent, in vse, possession, reuer- sion, or remainder, whereunto the said now Earle of Kent pretendeth title in vse, possession, reuer sion, or remainder, which if they be erroneous, as is pre- tended, doe much varie from the generall cause and mischief, for which this Statute meaneth to prouide. Therefore this Statute, nor any thing there- in contained, shall not extend to take away any writ of Error, whereunto any person or persons is now, or here after shall be lawfully entialed to haue for the reuersing of the saide Fines and Recoveries, or any of them hereto- fore leuied or suffered of any of the said Castles, Manors, Messuages, Landes, Tenements, or Hereditaments, which late were any part or parcell of the inheritance of the said George, sometime Earle of Kent, in vse, possession, re- uersion, or remainder. Any thing in this Statute to the contrary notwithstanding. 27. Elizabeth 9.

1 That writs of Couenant, and all other writtes may be sued for Fines, to be leuied of any Ecclesiasticall profite. S. Tithes, 27.

2 The see of the Chirographer of the common place for a Fine leuied. S. Chirog. 1.

3 That writtes shalbe inrolled whereupon Fine shalbe leuied. S. Chi- rog. 2.

For the leuying of Fines in Wales, making the Proclamations, and paying the Queens silver, and other fines. S. Wales. 1. 2. 23.

Whoſoever taketh Salmon in any water, wherein Salmon is commonly caught, from the nativite of our Lady, untill S. Martins day (except in the Countie of Lancaster where they may be taken at all times, saving betwixt Michaelmas and Candlemas) or taketh, or destroyeth by Nets or other Engins yong Salmon at Mill Pooles, or in any other places, from the midst of Aprill, untill the feast of S. John Baptist, or doeth put in any waters of this Realme, at any time of the yeere, any Nets or Engins whatsoever, by the which the frye or broode of Salmon, Lampreys, or other Fish may in any wise be taken or destroyed, shall for the first offence have his Nets burned, for the second, imprisoned a quarter of a yeere, and for the third a whole yeere, and so further as the trespasse increaseth, which punishments for offences in fish conservators shall be executed by conservators sworne. 17. Ed. 1. 46. 13. R. 2. 19. The Justices of peace shall be conservators of this Statute in the Counties where they be Justices, and they shall appoint under-conservators which shall be sworne. And if any be contrarie of an offence committed contrary to this Statute, he shall be imprisoned, and make fine at the Justices discretion. And the Mayor of London shall have the conservation of this Statute in the Rivers of Thames and Medway. 17. R. 2. 9.

2. If the Admirall, or any Officer or Spidger of the Admiraltie shall exact, receive, or take by himselfe, his servant or depuie, of any merchant or fisherman any summe of money, doles or shares of fish, or any other reward, or benefite, for any licence, to passe this Realme into Ireland, Newfoundland, Ireland, or other places commodious for the getting of Fish, or for any other respect concerning the said voyages, he shall forfeite for the first offence, treble the summe or value of the reward so taken, to the Queen and Insourner &c. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. and for the second offence, shall lose his office and make fine at the Queens pleasure. 2. Ed. 6. 6.

3. Whoſoever doeth by any engine, cautele, wapes, or meanes whatsoever, take & kill any yong broode, spawne, or frye of any Fish in any fludgate, pipe, at the myle of any Mill, Weate, or in any Straites, Streames, Brooks, Rivers, lake of fresh, or shall take in any of the foresaid places, Kipper, or Schadder, Salmon or Troutes not being in season, shall forfeite for every offence twofold the Fish so taken, and the Nets, Engins, &c. where with he tooke the same. 1. El. 17. 3. 1. El. 19.

4. Whoſoever doeth take and kill any Pickrel not being in length ten inches fish, or more, or any Salmon not being sixteene inches, or any Trout, not being eight inches, or any Barbell not being in length twelve inches or more, or doth fish with any net, Trammel, Kype, Sloppe, Hivie, Creele, or other engine

Taking of
Salmons.

Conservators.

Exactions on
them which
travell for fish.

Taking of
spawne.

Taking of sal-
mons or
trouts not sea-
sonable.

The length of
fish which may
be taken.

Of what mess
 they not ought
 to be.

engine or deuise, but only with that of Trammell, whereof euery of the Hall
be two piches and a halfe broade, (except angling, and sauing for the onely
taking of Smelts, Loches, Minnows, Burheads, Gudgeons or Eels, in
such places where they haue bene vled to be taken and killed) shall forfaite
for euery offence xx.s. the fish so taken, and the vnlawfull Nets and Engines
wherewith heooke the same.
CL. v. 3. CL. 16.

Choate, Wm.,
1896.

7. **¶** Provided that this Statute extend not to the filling of the river of
Twede, or of any water, whereof the Queen is answered any yearly rent
or profit, nor to the owners, farmours, or occupiers of the rivers of Twafe, or
Twye, in the Countie of Downmouth. 14. Cl. 17. 31. El. 10.

8 Every person which ought to have conservation of any River, Streame, or Water, or punishment of offences committed in any of them, hath authoritie to enquire by the othes of twelve men or more, and to heare and determine all the offences committed contrary to the true meaning of this Act, within his jurisdiction. 1. Cl. 7. 31. Cl. 10, to continue to the end of the next Parliament now next ensuing. S. Leetes. 7 Justice of peace. 40.

Destroying of Pools of Sins.

7. Whosoever shall by day or night unlawfully breake, cut downe, cut out, or destroy the head, or damme of any Pond, Poole, Pount, Slang, Streame, or severall Pit, where in Fish are or shall be put, or taken by the owner or possessor thereof, or shall unlawfully fish in any of the said severall Ponds, Pooles &c. to the intent to destroy, kill, take or steale away any of the same Fish against the will of the owner or possessor of the same, nor having lawfull authoritie to so doe, shall pay to the partie grieved his full damages, suffer imprisonment three moneths, and then shall have sufficient suretie for his good abearing for the space of seven yeeres after, or else shall remaine in prison untill he hath found sufficient suretie, and it shall be lawfull for the partie grieved, to sue and take his further remedie against every such offendour, for his losse and damages before the Iustices of Peace, Iustices of Assise, and Iustices of Oyer &c. or els where, in any other the Queenes Counties of Record, and upon satisfaction, or confession of the damages to release to the offendour, the Twerthiippe of good abearing at any time within the seven yeeres. 5. El. 21, S. Iustice of peace. 34.

**Packing of
Salmon, and
the contents
of the vessels.**

8 Whosoever selleth or putteth to sale any Salmon, by But, Barrell, halfe Barrell, or other Vessel, before it be seene, except the But doe containe foure scoze and foure gallons, the Barrell xlii. the halfe Barrell xxi Gallons, well and faithfully packed, shall forfeite for every Vessel so lacking measure, vi. s. viii. d. and he that doth not packe the great Salmon by itselfe, and the small Fish called Grilles by it selfe, but doth mingle the great Salmon with the Grilles or broken bellied Salmon; shall forfeite for every vessel so packed and vnto sale vi. s. viii. d. 22. Ch. 4. 2. 14. P. 7. 23.

Herrings.

9 Who so ever putteth to sale any Herring by Barrell, halfe Barrell, or Firkin (except the Barrell containe two and thirtie Gallons, the halfe Barrell & Firkin after the same rate,) and that the Herring be of one ston taking

taking and salting, and except it be well and iustly couched and packed in the middle, every end, and part thereof, shall forfeite for every offence iii. s. iiii. d. 22. Ed. 4. 2. 11. H. 7. 23. But the Assise of xxii. gallons of wine measure, which is about xxviii. gallons by old Standard, well packed, and containing in every barrell a thousand full Herring at the least, shall be taken for true and lawfull Assise of Herring barrells. 13. El. 11. S. 3. Ed. 3. that five score Herrings be accomped a hundred, and tenne thousand a last.

10. **W**ho so ever puttech to sale Celes, except the barrell doth containe xlii. gallons, the halfe barrell and firkin after the rate, or minglerh, packeth and puttech to sale any red, gallbeaten, moien, or slipped Celes, with good Celes, shall forfeite for every such offence 1. s. 22. Ed. 4. 2. 11. H. 7. 23.

11. **W**ho so ever puttech to sale any barrellled fish, except the countable fish, called tale fish be packed by it selfe, and the small fish called Grilles by it selfe, without mixture of them, and without packing of fish with broken bellies with tale fish, or small fish, or doeth lay tale fish or small fish double in packing, or packeth any tale fish which doeth not containe in length from the bone in the sinne, to the third ioyn of the tayle, five and twentie ynches at the least, or packeth fish, the napes whereof bee longer then to the litle bone, which is vpon the great sinne, or which fish is not splatted downe or opened to a handfull of the tayle, or the bone whereof is not taken away to the nauell of the same fish, shall forfeite three shillings and foure pence for every barrell which shall bee found not packed, sorted, mist, naped, laide double, or not boned as is aforesaide &c. 22. Edward 4. 2. 11. Henrie 7. 23.

12. **E**very Gaugeour, Packer, and Searcher, shall take no more for gauging of a barrell of Salmon, Herring, Fish, Celes, halfe barrell and firkin, then for every piece q. and for his labour for serching and packing (if neede be) of a barrell of Salmon, from head to head i. d. and for boning, naping, and packing of a barrell of fish (if it be neede) i. d. and for searching and packing of a barrell of Herring (if neede be) ii. d. and for searching and packing every barrell of Celes ii. d. And so in halfe barrells and firkins of Herrings and Celes, they shall take according to the fower rate. And if any Gaugeour, or Searcher, or Packer doe the contrary, he shall lose his office, and also be imprisoned fourtie dayes. But the said Searcher or Packer, shall receiue nothing of the saide fees, by colour of their office, but onely for such Bars, Barrells &c. as by them shall be sufficiently searched and packed, and were not sufficiently packed before. 11. H. 7. 23.

13. **I**t is not lawfull to any person to buy of any stranger home out of the Quenes obedience, or out of any strangers botome, any Herring being not sufficiently salted, packed, and casked (Herrings bought into this Realme by reason of Shipwacke onely except) vpon paine to forfeite the Herrings so bought, of the value thereof. 5. Eliz. 5. 27. Eliz. 1. 31. Eliz. 10.

THE CHARTER
IMPOSED BY THE
CITY OF LONDON
1554

THE CHARTER
IMPOSED BY THE
CITY OF LONDON
1554

How fish shall
be packed.

THE CHARTER
IMPOSED BY THE
CITY OF LONDON
1554

THE CHARTER
IMPOSED BY THE
CITY OF LONDON
1554

What a gauge-
our shall take
for packing of
fish.

What a gauge-
our shall take
for packing of
fish.

Fish, and Fishers.

*Cod and Ling
shalbe brought
loose into this
Realme.*

*Fish brought
in by stran-
gers shall not
be dyed in
England.*

*The sale of
Perrings.*

*Englishmen,
nor Denizens
shall not send
into foraine
regions to buy
salt Fish or
Perrings.*

*Englishmen
transporting
fish, which
liens that buy.*

14 *It is not lawfull to any person to bring into this Realme any Cod, or Ling in barrells, or other caskes, but to be in bulke and by tale, to be sold within the Realme, vpon paine to forfeite all the Cod and Ling &c. of the value thereof. 5. Eliz. 3. 27. El. 11. 31. El. 10. to continue till the end of the next Parliament now next ensuing.*

15 *No Fish taken, or brought into this Realme by any stranger, nor any Fish, commonly called Scottish fish, or Flemish fish, shall be dyed within England to be sold, vpon paine of forfeiture of all such Fish, or the value thereof, which forfeiture shall be to such person dwelling at any Towne where is any Port, Port, or Haven, as will seise the same or sue for the value in any Court of Record, to be employed to the repaire and maintenance of such Port, Port, or Haven, as is next to the place where the offence shall be done. 13. Eliz. 11.*

16 *No Herring shall be bought or sold in the Sea, vntill the fishers be come to the Haven with their Herrings, and that the cable of their Shippe be drawn to the land, & the sale of them shall be from the Sunne rising vntill the Sunne setting, & not before nor after, vpon paine of forfeit thereof. 31. Ed. 3.*

17 *It shall not be lawfull to any native Englishman, woman, or Denizen, at any time after the end of this Session of Parliament, directly or indirectly, by themselves, their Seruants, Factors, Agents, Deputies, or Friends, or any of them whatsoever, to goe, or send into any other foraine Countrey, Realme, or Dominion whatsoever, for the buying, prouiding, or bringing into this Realme out of or from any the saide foraine Realmes, or Dominions out of the Queenes obedience, of any salted Fish, or salted Herrings, nor shall make any agreement with any Alien or Stranger, or any other for such bringing into this Realme by any Alien or Stranger, of any salted Fish or salted Herrings. And no salted Fish, nor salted Herrings shall be brought hither out of the saide foraine Realmes and Dominions, but by the merre owners thereof, or Deputies of them being Aliens or Strangers, without the procurement of any Subject of the Queenes Maiestie, her heires, or successours, or of any Denizen; and by none other person or persons, vpon paine that such English person or Denizen offending against this Acte, shall forfeite the same salted Herrings, and salted Fish, or the value thereof, to the Queene, and him that will first seise the same, or first sue for the value thereof, by Action, Plaint, or Information, wherein no Wager, Effoine, Protection, &c. 23. Eliz. 7.*

18 *It shall be lawfull for all and euery her Maiesties Subiects, being owners of any Shippes, Barkes, or Vessels, to receive and take into their saide Shippes, Barkes, Crayers, and Vessels sailing with trolle Sailes, any Herrings or other Fish, which any Alien or Stranger shall buy and prouide of any of her Subiects within this Realme. And the saide Herrings and Fish, or any of them may transport into any partes beyond the Seas,*

in their said Shippes or Vessels with crosse Sailes, so as the said Aliens or Strangers pay to her Maiestie her customes and dueties for the same. 23. Eliz. 7.

19. All Aliens and Strangers, shall from henceforth, and from time to time, pay to her Maiestie for all salted Fish, and salted Herring to be brought into this Realme, all such like customes and impositions, as are or shall be imposed and set upon any her Maiesties subiects in those Forreine Regions and Countreys, Portes and Townes from whence the said salted Fish and salted Herrings shall be shipped and brought for the like Fishes and Herrings ouer and besides the ordinarie customes, which haue bene paid to her Maiestie for the same. 23. Eliz. 7.

20. If any person or persons shall doe, suffer, cause, or procure any fraudulent, deceitfull, or colourable acte whatsoever, whereby any part of this act before mentioned, shall or may be colourably, fraudulently or deceitfully auoyded, or frustrated, contrary to the intent thereof, then euery person so offending, shall for, for euery such his offence C. li. the one moitie whereof shall be to our Soueraigne Lady &c. And the other moitie to him or them that will sue for the same, in any court of Record by Bill, Plaint, or Information, wherein no Essoine, Protection, or Wager shall be allowed. And if any Alien or Stranger shall wilfully conceale any acte or thing whatsoever, to bee done to the deceiuing, colouring, or defrauding of any Branch or Article of this estatute before mentioned, Then euery such Alien and Stranger shall forfeite for such offence to the Queene his Shippe and Vessel, and all that thereunto appertaineth, to bee seized to her Maiesties use by any her Subiects: And moreover, if any Alien or Stranger bove, shall bring into any Haven, Port, Creeke, or Towne of this Realme, any salt Fish, or salt Herrings, which shall not be good, sweete, seasonable and meete for mens meate, and shall offer the same to bee solde, and shall be warned by an officer of such Port, Haven or Towne (where the same shall be offered to be solde) that the same bee not seasonable nor meete for mens meate, Then if hee or they with their saide Fish, shall after that, offer any of the said vnseasonable fish, to be solde to any person within this Realme, or shall not depart with the same from the said Haven, Port, or Towne so soone as conveniently will serue, Then all and euery person owners thereof, shall forfeite to our saide Soueraigne Lady, all the saide vnseasonable Fish vnmeet for mans meate as before is saide. 23. Eliz. 7.

21. This act, or any thing therein contayned, shall not extend to be prejudiciall to any providing or bringing of Fish, in or out of the Countrey of Irland, Scotland, or Newfoundland, or any the partes of Seas thereunto adioyning, or on the Scottish Seas, nor to any Fish, that shall be killed, taken and salted by the Queenes naturall subiectes. Any thing in this act to the contrary notwithstanding. 23. Eliz. 7.

What custome Aliens shall pay for salted fish, and salted herring.

Practising of deceitfull actes to auoid this statute.

What is to be done if any person shall offer to sell vnseasonable fish.

What is to be done if any person shall offer to sell vnseasonable fish.

Bying of
fish for
Scotland,
Newfound-
land,
Bying of
Staple fish
and Lings.

Ordinances of
companies,
for restraint to
take, buy or
sell fish.

Staple fish,
Ling and Herr-
ings may be
brought into
the North
partes.

The liberties
of Warwicke.

Sea fish may
be sold upon
any dayes
except Sunday.

22 It shall be lawfull for all the Queenes subiects, now being the trade of bying in of Staple Fish, and Lings from beyond the Seas, to bying in English Bottomes into this Realme, for the better supplie of present furnishing of this Realme with vitaille, all manner of Staple Fish and Lings being good and wholesome for mans body, during the space of three yeeres next following the end of this Session of Parliament. Any thing in this Act to the contrary notwithstanding. 23. Eliz. 7.

23 All ordinances of the Fishmongers of London, or of any other Company or Corporation whatsoever, made or to be made, for restraint of any person to take, or sell Fish, or to buy or provide any Fish of any Merchant or other within this Realme, shall be repelled and void. And every person or body corporate, that shall make or execute any such ordinance or restraint, shall for every such offence, forfeit. C. li. to the Queene and the partie grieved that will sue for the same by A. of debt in any Court of Record, wherein no A. C. P. &c. 23. Eliz. 7.

24 It may be lawfull for any of the Queenes Majesties subiects of this Realme, for serving of the Countreies of Yorkshire, Lincolnshire, Nottinghamshire, Derbyshire, Cheshire, Lancashire, Cumberland, Westmerland, Northumberland, Bishopricke of Durham, and North partes to bying into this Realme from the partes beyond the Seas in English Shippes, or Craters, being sailed by English mariners with crosse sailes, Herrings, Staple Fish, and Ling Fish, paying the Queenes Custome or Subsidie for the same Herrings, and Staple Fish, and Ling Fish, to the Citie of Yorke, the Townes of Boston, Grimsbie, Kingstone upon Hull, New-Castle, Scarborough, or to any Towne or Creeke in the North partes: so as none of the said Fish be shipped from any those North partes, into any place of England, South, or Southwest, from Boston, any act, statute, or proviso in any act &c. notwithstanding. Provided alwayes that this statute, nor any thing therein contained, shall be prejudiciall, or in any manner of wise hurtfull to the Towne of Barwicke upon Tweede, nor to the Burgesles of the same Towne, nor to any of them, or to their heires or successours, but that they may lawfully use, have, enjoy, and occupie all and singular such Franchises, Liberties, Usages, and Customes, as at any time heretofore they have, or might have done, in such manner and forme, as if this Statute had never bene made, any thing in the same &c. notwithstanding. 27. Eliz. 15. to continue for five yeeres now next following, and so from thence unto the end of the next Parliament then next following.

25 It shall and may be lawfull to and for every the Queenes subiects, to utter and sell all manner of Sea Fish, upon any fleshy day in the weeke other then Sundayes, in every Citie, Borough, Towne corporate, or Market Towne, whatsoever within this Realme, any charter, prescription &c. notwithstanding. 27. Eliz. 11. to continue till the ende of this next Parliament now next ensuing.

1 For the transporting of Herring and other Sea Fish. S. Come. 2. Shippes. 1.

2 For restraining or taking tolle of Fish brought into this Realme. S. Shippes. 2.

3 That no Fisherman shall anker vpon the maine Sea; in the time of the common fishing. S. Shippes. 7.

4 That no Fisherman shall be compelled to serue as a souldier, or as a mariner, but in certaine cases. S. Mariners. 2. 3.

5 That none of the Queenes Purueyours shall take any Fish from any man, that taketh the same in any English mans Shippe. See Purueyours. 24.

6 What Fish may be transported without Custome. S. Custome. 5.

Fish dayes.

It shall not be lawfull to any person within this Realme, to eat any flesh vpon any dayes now vsually obserued as Fish dayes, vpon paine to forfeit. iij. li. for euery time he shall offend, or else suffer thre moneths close imprisonment, without baille or mainprise. And euery person within whose house any such offence shall be done, and being praiue or knowing thereof, and not effectually punishing, or disclosing the same to some publike officer hauing authoritie to punish the same, for euery such offence shall forfeite xli. s. All which forfeitures for not abstaining from meates shall be diuided into three equall partes. That is, one part to the vse of the Queene, her heires or the other to the Informer, the third to the common vse of the Parish where the offence shalbe committed, and to be leuied by the Churchwardens after any conuiction in that behalfe. 5. El. 5. 27. El. 11. 31. El. 10.

2 **N**o Inholder, Tauerner, Alehousekeeper, common Waittaylor, common Cooke, or common Tablekeeper, shall utter or put to sale, or cause to be uttered or put to sale, vpon any Fridayes, Saterdayes, or dayes appointed by former lawes to be Fishdayes (not being Christmas day) or vpon any day in the time of Lent, any kind of flesh victuals, except it be to such person or persons, resorting to his or their houses, as haue, or shall haue licence to eat the same, according to the tenour and true meaning of the Statute made 5. El. (vid. hereafter expressed) vpon paine of forfeiture of v. li. and shall also suffer ten dayes imprisonment without baille, mainprise, or remouer, for euery time so offending; one third part thereof to be to the Queene, her heires or one other third part thereof to the Lord or Lordes of the Leete, for the time being, where such offence shall be committed, and the other third part thereof, to him or them that will sue for the same in any of her Maiesties Courts of Record by A. B. P. or I. where in no W. C. P. &c. 27. El. 11. 31. El. 10.

3 **B**ut this Act concerning eating of flesh, shall not extend to any persons hauing speciall licence, vpon causes contained in the same, and granted according to the lawes of this Realme, euery of which licences shall be

No flesh shall be eaten on Fish dayes.

No flesh shall be uttered on Fish dayes.

Conditions upon licences.

boide, vntlesse the same conteyne these conditions, v3. Every licence made to any person of the degree of a Lord of the Parliament and his wife, shall be vpon condition that they shall paye to the poore mens boxe within the Parish where they remaine &c. in the feast of the Purification of our Lady, or within sixe dayes after, twentie sixe shillings eight pence, and to bee payde within one moneth next after the same Feast, vpon paine of forfeiture of the same licence. A Knight and his wife shall paye peereley thirteene shillings foure pence. Every person vnder the said degree shall pay peereley sixe shillings eight pence to the said use at the foresaid time and vpon the aforesaide condition. 5. Cl. 5. 27. Cl. 11. 31. Cl. 10.

licences to
sicke persons.

4 **C** All persons, which by notorious sicknesse shall be enforced, for the recouerie of their health, to eate flesh for the time of their sicknesse, shall be licenced by the Bishop of the Diocesse, or by the Parson, Vicar, or Curate of such Parish where such person is sicke, or of one of the next Parish adjoining (if there be no Curate &c. in the same Parish, or if he be wilfull) which licence shall be signed with the hand of the Bishoppe, Parson &c. and endure no longer then the time of sicknesse. And if the sicknesse continue above eight dayes after the licence graunted, it shall bee registred in the Church booke, with the knowledge of one of the Churchwardens. And the partie licenced, shall giue to the Curate foure pence for every entrie, and it shall endure no longer, but for his sicknesse. And if any licence by any Parson, Vicar, or Curate be graunted to any person, other then such as evidently appeare to haue neede thereof by reason of their sicknesse, not onely every such licence shall be boide, but also every such Parson, Curate, or Vicar, shall forfeite for every such licence otherwise graunted, five markes. 5. Cl. 5. 27. Cl. 11. 31. Cl. 10.

Beefe & deale
excepted.

5 **N**o licence shall extend to the eating of any Beefe, at any time of the yeere, nor to the eating of any Deale, in any yeere from the Feast of Saint Michael the Archangel, vnto the first day of May. 5. Cl. 5. 27. Cl. 11. 31. Cl. 10.

For one dish
of flesh, one
dish of Sea
fish.

6 **S**uch persons as haue, vpon good consideration, any lawfull licence to eate flesh vpon any Fish day, be bound to haue for every one dish of flesh serued to be eaten at their table, one vsuall dish of Sea fish, fresh or salt, to be likewise serued at the same table, and to bee eaten or spent without fraud or couin, as the like kinde is or shall be vsually eaten, or spent on Saterdayes (except such persons as for sicknesse, shall for that time be licenced by the Bishop, Curate, or &c. or by reason of age, or other impediment, allowed heretofore by the Ecclesiastical lawes of this Realme) vpon the paine aforesaid. 5. Cl. 5. 27. Cl. 11. 31. Cl. 10, to continue till the end of the next Parliament now next ensuing.

7 **T**hat hee which saith, the eating of fish, or forbearing of flesh is the seruice of God, shall be punished as a spreader of false newes. See Newes, 2.

Whoſoeuer maketh his entrie into any landes and tenements, but in caſe where his entrie is giuen by the lawe, and that in peaceable and eaſie maner, and not with ſtrong hand and multitude of people, and thereof is convicted, ſhall be impriſoned, and pay a fine at the Queenes pleaſure. 5. Rich. 2. 7. The like proceſſes ſhalbe awarded in any action brought vpon this Statute as in a common action of treſpaſſe at the common lawe. 23. Hen. 8. 14. If the plaintife in this action after the apparance of the defendan be non ſuit, or any verdict paſſe againſt him, the defendan ſhall recouer coſtes againſt the plaintife. 23. H. 8. 15.

The puniſhment of forcible entries.

2 **W**hoſoeuer doeth enter with force into any landes or tenements, or into any benefices or offices of the Church, or doeth enter peaceably, and after doeth holde them with force, vpon complaint thereof made to one or moze Juſtices of the peace of the Countie, or to the Maior, Bailife, Sherife, Juſtices or Juſtice of peace of the Citie, Towne, or Borough hauing Franchiſe, where ſuch forcible entrie is made, the ſaid Juſtice, Maior, or &c. ſhall within conuenient time take ſufficient power of the ſame Countie, Citie &c. and at the coſtes of the plaintife, goe to the place where the force is made. And if he doe finde any that made ſuch forcible entrie, or that hold the place with force after peaceable entrie made, he ſhal take the offendours, and commit them to the next Gaole, there to remaine conuict by record of the ſame Juſtice, untill they haue payed a fine to the Queene. And whether the parties which made ſuch entries bee preſent, or gone at the comming of the Juſtice, the ſaide Juſtice, Maior, &c. ſhall in ſome good Towne or conuenient place, neere vnto the place where ſuch force was made, inquire by a ſufficient Iurie of the ſame Countie, Citie, &c. of them which made ſuch forcible entries. And if it be found befoze them, that any haue made entrie in ſoyne aforeſaide, the ſaide Juſtice, Maior, &c. ſhall reſeiſe the ſaide landes or tenements ſo entred vpon, and thereof put the partie in poſſeſſion which in ſuch ſort was put out. 15. Rich. 2. 2. 8. Hen. 6. 9. 5. Juſtice of peace. 89.

Forcible entrie or forcible detaining of land.

3 **A**nd if any perſon after ſuch entrie or holding with force, wil make a ſeoffment, or other diſcontinuance to any Lord or other perſon to haue maintenance therein, the ſame is utterly void. And alſo in the caſes aforeſaide, the partie grieved may haue an Aſſiſe of Nouel diſſeiſon, or an action of treſpaſſe againſt the diſſeiſor, and if the defendan be attainted of force, he ſhall anſwere to the plaintife his treble dammages, and alſo pay a fine to the Queene. 8. Hen. 6. 9. 1. Rich. 2. 9.

A ſeoffment of lands obtained by force.

4 **P**rovided alwayes, that they which keepe their poſſeſſions with force in any landes and tenements, whereof they or their auncceſters, or they whole eſtate they haue in ſuch landes or tenements haue continued their poſſeſſions in the ſame by three peeres or moze, be not endammaged by force of this Statute. 8. Hen. 6. 9. No reſtitution vpon any Iudgement of forcible entrie, or holding with force ſhalbe made to any perſon or perſons, if the

Three peeres poſſeſſion.

admittance of
the party to the
land

person or persons so indicted hath had the occupation, or hath bene in quiet possession by the space of thre whole yeeres together next before the day of such inditement so found, and his, her, or their estate or estates therein not ended nor determined, which the partie indicted shall and may alledge for stay of restitution, and restitution to stay untill that be tryed, if the other wil denie or traaverse the same. And if the same allegation be tryed against the same person or persons so indicted, then y^e same person or persons so indicted to pay such costes and dammages to the other partie as shall be assessed by the Judges or Iustices, before whom the same shall be tryed, the same costes and dammages to bee recovered and leuied as is vsuall for costes and dammages containyd in iudgements vpon other actions. 31. Eliz. 11.

Each man that
helpe to res-
tore force.

5 ¶ If the Sherife, or any other of the Countie doe not attende vpon the Iustice to goe and assist him, to arrest such offendours, he or they so offending, shall be imprisoned and paye a fine to the Queene. 15. R. 2. 2.

Forcible en-
tries by main-
tenance.

6 ¶ Who so euer maketh any forcible entrie into another mans landes in his owne right to his owne vse, or in any other mans right to his vse, by the way of maintenance, and thereof is attainted in an Assise at the suite of the partie griued, shall bee one yeere imprisoned, and paye to the partie griued his double dammages. And also shall answere to the partie griued, dammages for his goodes, and cattels, if vpon the salde forcible disseison, hee tooke away any. 4. Hen. 4. 8.

1 What Iurors shall be returned to inquire of forcible entries. See Iuries. 12.

2 That no discent after a forcible disseison shall take away any mans entrie. S. entrie. 1.

3 Where a speciall Assise is grauntable vpon a forcible entrie. S. Assise. 6.

4 For Riots, Routes, and vnlawfull assemblies, and all forces thereupon committed, S. Riots.

5 In what cases, in what places, and by what persons force and armes may not be vsed. S. Armour. 10. 11.

Forests, Chases, Parkes, Warrens.

The punish-
ment for kil-
ling the Queenes
beare.

N^O man shall lose life or member for killing of the Queenes beare, but if he be taken there with and conuicted, he shall make a grienous fine (if he hath any thing) if not, he shall be imprisoned a yeere & a day, and after shall be deliuered, if he can finde sureties, or otherwise he shall abjure. Ch. Chartra forest 9. D. 3. 10. But to hunt in the night in any Forest, Parke, or Warren, or with painted faces, visors, or other disguisings, to the intent he would not be knowen, & being examined before one of the Queenes Counsell, or a Justice of peace of the same shire, to conceale y^e same offence, or any offendour,

Hunting dis-
guised.

to felonie, 1 H. 7. 7. S. Felony. 24.

2 **T**he Foresters in whose Bailiwicks any trespassse done within the Queenes Forrest of Vert or Wenison shall be committed, shall present the same trespassses at the next Swanimont before the Foresters, Verderours, Regardours, Agistours and other Officers of the Forrest, which presentment shall be made by the othes of Knights, and other good and lawfull men and not suspicious, of the parties advising, or neere where such trespassses shall be presented, and where the truerth may best be knownen. And the truerth being perfectly knownen, then such presentment by the consent of all the sayde Officers, shalbe solemnly written and Sealed with their Seales. And if any inticement be in other maner, the same shall be voyde. And no man shall be taken or imprisoned for Vert or Wenison, unlesse he be taken with the maner, or indicted in forme aforesayd. And the chiefe Warden of the Forrest shal let him to mainprise, vntill the Eire of the Forrest, without taking any thing for his deliurance. 34. Ed. 1. 1. Ed. 3. 8. And if any Officer of the Forrest doeth imprison any person, or doeth compell any person to make any Obligation or ransome vnto him, against the ordinance aforesayd, and is thereof attainted, he shall pay to the partie grieved his double dammages, and make fine to the Queene. 7. R. 2. 4.

The pmissi-
ment of offend-
ers.

3 **I**f any person doe wrongfully, or unlawfully by night or day, breake, or enter into any Parke impaled, or other seuerall ground inclosed, with wall, pale, or hedge, vsed for the keeping, breeding, and cherishing of Deare, and hunt, chase, or drive out, or take or kill any Deare, within the sayd ground, he shall peelde to the partie grieved his treble damages, suffer imprisonment by the space of three moneths, and then shall finde sufficient sureties for his good abearing by the space of seven yeeres after, or els lie in prison vntill he hath found sureties. But this statute shall not extend to any Parke or inclosed ground vsed for Deare hereafter to be made, without the graunt or license of the Queer heires, successours or progenitors. And it shall be lawfull for the partie grieved, to sue and take his further remedy against euery such offender for his losse and damages, before the Iustices of Peace, Iustices of Assise, and Iustices of Oyer et. or els where in any other the the Queenes Courts of Record. And vpon satisfaction or confession of the damages, to release the offender the suretiship of good abearing at any time within the seven yeeres. 5. El. 21. S. West. 1. 3. Ed. 1. 20. That whosoever committeth trespassse in Parkes or Ponds, shall make great amendes to the partie, he three yeeres imprisoned, make fine at the Queenes pleasure, and finde suretie that he shall not commit the like offence. And if he cannot finde suretie, he shall abiure, and if he flie and haue no land, he shalbe proclaymed and outlawed. S. Iustice of Peace. 34.

Hunting deare
in a Parke or
other inclosed
ground.

4 **I**f any Forester, Parker or Warrener, finde any offenders within his Bailiwicke here wandring, and doing hurt, which after buy and cry le- uied to keepe the Peace, and obey the Lawe, wil not peeld themselves to the

Killing of of-
fenders in for-
rests, parks, or
warrens.

same

Forests, Chases, Parkes, Warrens.

same forester &c. but will lie & defend themselves by violence, Then though the Foresters &c. or any other being in their company to keepe the Queenes Peace, comming to arrest such offenders, doe slay any of the said offenders, he shall neither suffer death, nor sustaine any other punishment therefore. But if any of the said Foresters, Parkers or Warreners, by reason of any contention, despite, or hatred before conceived will lay to any mans charge passing through his Baylwick, that he came thither to doe hurt, whereas he did not, neither was found wandering or offending, and so kil him, and thereof be convicted, he shall be punished for his death, as hee ought to be punished for the death of another being in the Queenes Peace. 21. Ed. 1.

*Noble men
may hunt the
Queens game.*

5 **C** It is lawful for every Archbyschop, Byschop, Earle, or Baron, comming to the Quene at her commaundement, and passing by her Forrest, to take one or two of her Deare by the view of the Foster, if he be present, or els he shal cause a hohne to be blowen, lest hee should seeme to steale it. And like wise may they doe, as they returne home. Charta Forest. 9. H. 3. 11.

*Lawing of
Dogs.*

6 **D**ogs shalbe lawed every three yeeres when the range is made by the testimonie of honest men, in those Forests where Dogs haue bene used to be lawed, and not els where. by the three clawes of the forefoote shalbe cut off by the skinne, and he whose Dog is not found lawed, shall be amerced iii. s. But no Dce shalbe taken for the lawing of Dogs. Charta Forest. 9. H. 3. 6.

*The Jury shal
give their ver-
dict where
they receive
their charge.*

7 **N**o Jury shalbe compelled against their willes, by threatnings, or imprisonment, to trauele from the place where their charge was giuen them, to giue their verdict, nor yet to giue their verdict otherwise then their conscience doeth mooue them, for any trespassse committed within the Forrest. 7. R. 2. 3. Neither shall those persons which doe remaine without the Forrest come before the Iustices of the Forrest by common summons, except they be impleaded, or pledges of any person or persons which be attached for the Forrest. Charta Forest. 9. H. 3. 3.

*Every Justice
of the Forrest,
may make
Deputies.*

8 **E**very Justice of the Queenes Forests, Parkes, and Chases within this Realme, by their writing Sealed with the Seale of their Office, shall make and appoint as many Deputie or Deputies for the exercising of the same Office of the Iustices of the Forests, as to such Iustices from time to time shalbe thought conuenient, which Deputie and Deputies so appointed, shall haue like authoritie to doe and execute all things concerning the Queenes Forests, Parkes, and Chases, and all other things concerning the Office of the Justice of the Forests to all intents, and in as ample manner as the same Justice may lawfully doe, and as though the same Justice were there personally present. 3. H. 8. 35.

1 Howe ech person may vse his Woods, ground, and other things which he hath within the Forrest. S. Woods. 23. 24. 25.

2 That officers of Forests shal not be sworn in Enquest. S. Iuries. 4.

3 That a man hauing no Parke &c. of his owne, shall not keepe any Bucke stalles or Deare haies. S. Hunting. 3.

4 That

4. That no man shall stalke, but in his owne ground. S. Hunting. 4.
5. Howe long Woods felled in a Parke or ground inclosed for Deare shall be preserved from cattell. S. Woods. 20.
6. That he which hath a Parke and Deare therein, shall be charged to keepe certaine Horses therein. S. Horses. 1.
7. Where driftes shall be made of Forests or Chases, when, & by whom, S. Horses. 7.

Forfeitures.

If any person shall be indicted, or appealed, of or for the death of any such euill disposed person, which attempted feloniously to robbe or murder him in or nigh any common high way, cartway, horseway, or footeway, or in his mansion or dwelling place, or for the killing of him which attempted to breake his dwelling house in the night, and of the same by verdict so found and tried, he shall lose neither lands, tenements, goods or cattels, for the death of any euill disposed person, but shall be fully discharged thereof, as if he were acquit of the death of the sayd person. 24. H. 8. 5.

No forfeit for killing of certaine robbers or felons.

Every offender being lawfully convicted of high Treason, by verdict, confession, ouelawp or presentment, shall forfeit, to the Queene all such lands, tenements and hereditaments, which he shall haue in his owne right, in vse or possession of any estate of inheritance, at the time of such Treason committed or at any time after. 5. Ed. 6. 11. But there shall be no corruption of blood to any heire, nor the wife of the offender shall forfeit her dower, by the attainder of any person for any of the offences made Treason by Statute provided. 5. El. 1. for the assurance of the Q. power ouer all estates, or by the Statute provided. 5. El. 11. against the clipping, washing, rounding or filing of Coyne, or by the Statute provided. 18. El. 1. against the impairing of the Queenes Coyne and other Coynes Currant within this Realme.

Forfeit by attainder of high Treason.

1. Where a woman shall forfeit her land for making an vnlawfull contract of matrimonic. S. Women. 10.

2. Where there shall be forfeit of land for committing or consenting to Rape. S. Rape. 3.

3. Who shall haue the forfeitures of all felons goods and lands condemned. S. Prerog. 16.

4. Who shall haue the forfeit of a Byshops tenants attainted during the vacation. S. Prerog. 14.

5. That no person arrested and imprisoned shall forfeit his goods before he be convicted. &c. S. Shirifes. 26.

Forging of deedes and writing.

If any person vpon his owne head and imagination, or by false conspiracy and fraude with others, shall wittingly, subrillly, & falsly forge or make, or subrillly cause, or wittingly assent to bee forged or made any false deed, charter or writing sealed, Court roule, or the Will of any person in writing,

Forging of any deedes, whereby others freedom shall be trou- bled.

Forging of deedes and writings.

to the intent that the estate of freeholde or inheritance, of any person or persons, of, in, or to any lands, tenements, or hereditaments, freeholde or copyholde, or the right, title, or interest of any person, of, in, or to the same or any of them, shall or may be molested, troubled, defeated, recovered or charged, or shall pronounce, publish, or shew forth in evidence any such false and forged deepe, charter, writing, Court roule, or will, as true, knowing the same to be false and forged, to the intent aforesayd, and shall be thereof convicted, either vpon action or actions of Forger of false deedes, founded vpon this statute, at the suite of the partie grieved, or otherwise according to the course of the Lawe, or vpon bill or information exhibited in the Starre Chamber, he shall pay to the partie grieved his double costes and dammages found or assessed in the Court where such conviction shall be, and also shall be set vpon the Pillorie in some Market Towne, or open place, and there haue both his eares cut off, and his nostrils slit, cut and seared with a hot yron, so as they may remaine for a perpetuall marke of his falshood, and shall for to the D. the whole issues and profits of his lands, during his life, and shall suffer perpetuall imprisonment during his life. The sayd dammages and costes to be recovered at the suit of the party grieved, to be first paid and leuied of the goods and cattels of the offender, and of the issues and his profits of lands &c. or of one or both of them, the title of the D. &c. notwithstanding. 5. El. 14.

Forging a
deepe whereby
a lease or an
nuirie may be
claimed.

2 ¶ If any person vpon his owne imagination, or by false conspiracie or fraud with any other, shall wittingly, subtilly and falsly Forge, or make, or wittingly, subtilly and falsly cause or assent to be made, and forged, any false charter, deepe, or writing, to the intent that any person or persons shall or may haue or claime any estate or interest for terme of yeeres, of, in, or to any Manor, lands, tenements or hereditaments not being copy holde, or any annuities in fee simple, fee taile, for terme of life, liues or yeeres, or shall as is aforesaid forge, make or cause, or assent to be made or forged any obligation, or bill obligatory or any acquittance, release, or other discharge of any debt, account, action, suit, demand or other thing personall: Or shall pronounce, publish, or giue in evidence any such false or forged charter, deepe, writing, obligation, bill obligatorie, acquittance, release or discharge, as true, knowing the same to be false, and forged, and shall be thereof convict by any of the wayes or meanes aforesayd: Then hee shall pay to the party grieved, his double costes and dammages to be found and assessed in such Court, where the said conviction shall be, and also shall be set vpon the Pillorie in some open Market Towne, or other open place, and there haue one of his eares cut off, and also shall suffer imprisonment by the space of one whole yeere without baille or mainprise. 5. El. 14.

Forging an
obligation, ac-
quittance, re-
lease.
Giuing in evi-
dence a forged
deepe.

Seuerall re-
medies for the
party grieved.

3 ¶ The party grieved by reason of any the offences aforesayd shall and may at his pleasure, haue, and sue his action of Forgery of false deedes, vpon this statute against any the offenders in the same, by originall writ out of the Chancery, and haue like proces vpon the same, as in cases of trespass at the

the common Law, or may take his suit against any such offenders in any the premises, by bill, in the Kings Bench, or in the Chichequer, wherein no C. J. J. &c. But if the defendant shall be convicted for any the offences aforesaid, according to the order above limited, and shall have received punishment corporall, according to this Act, then he shall not escheones be impeached for the same offence, but though the plaintiffe in any such action or bill to be sued, shall after verdict passed against the defendant release or discharge the judgement or execution vpon the same, or otherwise suffer the same to be discontinued, yet the same release, discharge or discontinuance shall extend onely to discharge such costes and damages as the same plaintiffe should have had against the defendant, and the Judges before whom the said action or suit shall be taken, shall and may proceede to Judgement vpon the residue of the sayd penalties and forfeitures, and commaund execution vpon the same, the sayd discontinuance or other discharge notwithstanding. 5. Cl. 14.

No person
whose impea-
ched of one of-
fence.

The pl. release
shall onely dis-
charge his cos-
texp.

4. ¶ If any person being convicted of any of the offences aforesaid, by any the wayes or meanes above limited, shall after such his conviction escheones commit any of the sayd offences in fourme aforesaid, and shall be thereof convicted or attainted, then every such second offence shall be adjudged felony without benefit of Clergie or Sanctuarie: But there shall be no corruption of blood, disheritance of the heire, or forf. of dowter by this felony, Saving to every person (other then the sayd offenders, and such as claime to their vles) all such rightes, titles, and other profits which any of them have, at the time of such conviction or before, in or to any the lands &c. of any such person convicted. And all and every Iudices of Oyer and determiner, and Iudices of Assise in their Circuits, and every of them shall have authoritie in their open and Generall Sessions to enquire of, heare and determine all and every the offences aforesaid, committed or done within the limites of their Commission, and to make proces for the execution of the same, as they may doe against any person being indicted before them of Trespas, or lawfully convicted thereof. 5. Cl. 14.

The punish-
ment for the se-
cond offence.

Others rightes
saved.

5. ¶ But this Act shall not charge any Ordinarie, or any of their Commisaries, Officials, Registers, or any other their Officers, for putting their Seale of Office to any Will exhibited unto them, not knowing the same to be false or forged, or for writing of the sayd Will or probate of the same. Neither shall it be hurtfull to any Doctor, Advocate, or Register of any Ecclesiasticall Court within this Realme, for the writing, setting forth, or pleading of any Provie made according to the Ecclesiasticall Lawes, used and allowed by the Ecclesiasticall Courts for the apparance of any person cited to appeare in any of the sayd Courts, nor to any Archdeacon or Officiall for putting their Authentique Seale to the sayd Provie, neither yet to any Judge Ecclesiasticall, for admitting the same. Neither shall this Act extend to any Attorney, Lawyer, or Counsailer that shall for his Client pleade, shew forth or give in evidence, any false and forged deed, Charter, Will, Court roule,

These persons
are not charge-
able by this
statute.

Forefallers, Ingrossers, Regrators.

or other writing, for true or good, being not partie and minie to the forging of the same, for the pleading, shewing forth, or giving in evidence of the same. Neither shall this Act extend to any person that shall plead or shew forth any deeds or writing exemplified under the Great Seal or the seale of any other Authentique Court of this Realme, nor shall extend to any Judge or Justice, or other person that shall cause any Seal of any court to be set to any such deeds, Charter, or writing Furouled, not knowing the same to be false or forged. 5. El. 14.

1. That a servant taken with a forged testimoniall, shall be whipped as a Vagabond. S. Labouers. 8.

2. For getting other mens goods by a counterfeit or forged token or letter. S. Counters. 1.

Forefallers, Ingrossers, Regrators.

Who is a
Forefaller.

Whosoever doeth buy or cause to be bought any marchandise, vitaille or other thing comming by land or water towards any Faire or Market, to be solde in the same, or comming toward any Citie, Port, Haven, Creeke or Rode of this Realme or Wales, from any part beyond the sea, to be solde, or make any bargaine, contract or promise, for the having or buying of the same, or any part thereof so comming, before the sayd marchandise, vitailles, or other thing shall be in the Market, Faire, Citie, Port, Haven, Creeke or Rode, ready to be solde, or shall make any motion by woide, letter, message, or other wise to any person for the enhancing of the price, or deare selling of any of the things above mentioned, or els dissuade, moue, or stirre any person comming to the Market or Faire, to forbear to bring any of the things above mentioned, to any Faire, Market, Citie, &c. shall be adiudged a forefaller. 5. Ed. 6. 14. Anno 34. Ed. 1. it was enacted, that no forefaller should be suffered to dwell in a Towne, for he is a manifest oppressor of the poore, a publicke euemie of the Countrey, and whole common wealth.

Who is a Re-
grator.

2. Whosoever shall Regrate or get into his possession, in any Faire or Market, any corne, wine, fish, butter, cheese, candels, calow, sheepe, lambs, Calues, Swine, Pigs, Geese, Capons, Vens, Chickens, Pigeons, Conies or other dead vitaille whatsoeuer, that shall be brought to any Faire or Market within this Realme or Wales to be solde, and doeth sell the same againe in any Faire or Market holden in the same place, or in any other Faire or Market within foure miles thereof, shall be reputed a Regrator. 5. Ed. 6. 14.

Who is an
Ingrosser.

3. Whosoever doeth ingrosse, or get into his hands by buying, contracting, or promise taking (other then by demise, graunt or lease of land or tithes) any corne growing in the fieldes, or any other corne, butter, cheese, fish, or other dead vitaille within England, to the intent to sell the same againe, shall be taken an ingrosser. 5. Ed. 6. 14.

Punishment
of the offenders
here.

4. Whosoever offendeth in any of the things before rehearsed, and being thereof duely convicted, or attainted by the Lawes of this Realme, or after

after the forme ensuing, within two yeeres next after such offence committed, shall for his first offence, suffer imprisonment by the space of two moneths without baile or mainprie, and forfeit the value of the goods, cattell and vitallie so by him bought or had: And being thereof once lawfully convicted or attainted, shall for his second offence, being thereof esloones lawfully convicted &c. suffer imprisonment by the space of halfe a yeere, without baile or mainprie, and shall lose the double value of the goods &c. so bought or had, as is afore sayd, and being twice convicted of any of the sayd offences, shall esloones offend the third time, and be thereof convicted or attainted, he for his third offence shall be set on the Pillorie in the Citie, Towne or place where he shall dwell, and shall forfeit all his goods and cattell, and shall be committed to prison, and there remaine during the Queenes pleasure. But he that is once punished for any offence, shall not be esloones troubled or punished for the same. 5. Ed. 6. 14. Who shall haue the for. and how it shalbe leuied. 5. Justice of Peace. 31.

5. ¶ But this statute shall not extend to any Wines, Oyles, Sugars, Spices, Cinnamon, or other foireine vitailles brought from beyond the sea (Fish and Salt only except.) 13. El. 25.

6. ¶ It shall not be adjudged any offence contrary to this statute, to take any cattell, coyne, butter, cheefe, or any of the aboue rehearsed things reserved vpon any lease, for life, lines, or yerres, or to buy any barley, big or otes, the buyer whereof shall conuert & same in his house to manlt or otemeale, or for any Fishmonger, Butcher, or Poulter, for to buy any thing concerning their owne facultie which shall sell the same againe, vpon reasonable prices by retayle, or for any Inholder or Vtailer for the buying of Wine, or other dead vitaille meete for mans sustenance, to sell the same againe by retaille, within his house, or to any of his neighbours, for their sustenance for reasonable prices, or for the buying of any Herring, dried or salted fish, or Sprats, and solde for reasonable prices, or for any of the Queenes Subjects dwelling within one mile of the maine Sea, to buy any fish fresh or salted, and to sell the same againe at reasonable prices, or for the buying of any coyne, fish, butter, or cheefe by any Badger, Lader, Kidder, or Carrier, allowed by three Justices of peace, of that Countrey where &c. which shall sell the same againe in any Faire or Market, or to any Vtailer, or to any other person for the prouision of his house, within one moneth after he bought them, or for any common prouision made by any person of any of the foresaid things for any Citie, Borough or Towne corporat, or for the vitailing of any Ship, Castle or Fort, or for to buy & provide vitailles necessary for & furniture and prouision of the inhabitants of the Towne of Warwicke, Holley Island, or of the Barches of England against Scotland, which shalbe transported & conuied to such of the places aforesaid, as soone as winde and weather will serue, or for a common & knowne mouer being licensed by three Justices of peace of the Countie where he dwelleth, whereof one to be of the Quorum, to buy cattell

Vitallies
brought from
beyond the
sea.

These persons
for these causes
may regrate
or ingrosse.

cattell in such Countiees where Drouers haue bene wont to buy and sell the same againe, as some Parkets or Faires being distant at the least fourtie miles from the place where he bought them; or for any person being licensed by three Iustices of Peace &c. to buy Corne, Graine or Cattell, to be carried by water from one Port or place within England or Wales unto another, if he doe shippe or imbarke the same within fourtie dayes after he hath bought or couenanted for the same, and with expedition as weather shal serue to to transpore the same, and doe bring a Certificat from a Justice of Peace of the Countie, or Mayor or Bailife of the Towne coppoiat, and the Customier, where such unlading shal be, testifying the same vnto the Customier and Comptroller of the Port where the same were imbarked, Or for euery person to buy, ingrosse, and keepe in his house Corne, when wheate shal be commonly at the pprice of vi. s. viii. d. the quarter, or vnder, Hault and Barly at iii. s. viii. d. Otes, or Otes maulted at ii. s. Pease or Beanes at iiii. s. and Rie or Pastline at v. s. the quarter of London measure, or vnder, so that none of all the foresayd Corne, cattell, butter, cheefe or other commodities be bought, couenanted &c. by focestalling. 5. Ed. 6. 14. 13. El. 25.

7 This statute, or any other statute, made against Focestallers, Regrators and Ingrossers, shal not extend to any oyle, wine, sea fish unsalted, mudfish, and salt, as any buyer or buyers vpon the sea, by way of Focestalling or Regrating, shal and doe bring in any English subiects ships, crayers or other vessels, and discharge in any Port or Haven within this Realme. 5. El. 5. 27. El. 11. to continue till the ende of the next Parliament.

1 For Regrating of Butter and cheefe. S. Butters. 1.

2 That no Butcher shal regrade any fat cattell. S. Butchers. 1.

3 Who may buy Cattell and sell them againe, and within what time. S. Cattell. 1.

4 That he which buyeth Corne for change of his feede shal bring in as much to the market. S. Corne. 10.

5 Who shal engrosse Tanned Lether and sell the same againe, and who not. S. Lether. 36.

Franchises and Liberties.

Statutes vnder
which shal ex-
tend to Bap-
tises of libe-
ties.

Every statute being in force made before 4. Februarij, Anno 27. H. 8. against Sherifes, vnder Sherifes, Baplisfes, or other ministers for making or returning of panels of Iuries, or for due execution and seruing of any writ or proces, or for taking of fees, reformation of extortion, or for any other thing concerning their Offices, and all paines and penalties contained in euery such statute, shal be extended to all Stewards, Baplisfes, and other Ministers, and Officers of Liberties and Franchises hauing returns of writs, and execution thereof, in like maner as they extend to Sherifes, vnder Sherifes &c. as if the sayd Baplisfes, Stewards &c. had bene particularly named in such Statutes, Sauing that the sayd Stewards, Bap-

lisfes

lives of Franchises, their Deputies or Clerkes may occupie their Offices about one yere, by, for so long time as they be given to them. 27. H. 8. 24.

2 The Queenes Maistie, her Steward, Marshal, Coroner, and all her Ministers, shal and may keepe their Courts for Justice, and execute their Offices as shal apperteine to them according to the Lawes, Customes and Statutes of this Realme, in all places within this Realme, as well within Liberties and Franchises as without, within the Clerge accustomed to her Court, where her Highnes in her owne person shal come to rest or abide. And the Queenes Clerke of the Parker, and none other during the same time, as well within Liberties as without, shal exercise the Office of the Clerke of the Parker, notwithstanding any privilege, graunt &c. But this statute shal not be prejudiciall to the Liberties of the Citie of London. 32. H. 8. 20.

Where the M. commeth, her Courts shalbe kept within Franchises.

Clerke of the Parker.

3 The amerciaments for sufficient returnes of writts or other proces made by Stewards or Baylifes of Liberties, having returne of writts and execution of the same, shalbe set upon the heads of such Stewards or Baylifes, not upon the Sherifes. 27. H. 8. 24.

Amerciament for sufficient returnes by Baylifes of Liberties.

1 That the Queenes Purveior may take any vitailles within Franchises. S. Purveiors. 23.

2 That no person hath Franchise or authoritie to pardon Felons, or appoint Iustices, but the Q. onely. S. Prerogative. 17.

3 That the Queen shall have the fines and amerciaments forfeited by Baylifes and Stewards of Franchises. S. Prerogative. 20.

4 That Lords of Liberties shal appoint two or three expert men to search or Scale Lether. S. Lether. 25.

5 That the Queene may seise a Franchise for default or pursuite or arresting of Felons. S. Felonie. 34.

6 That the Lord of a Franchise where goods be shewed in a Faire or Market, vpon dayes prohibited, shall have the same goods. S. Faires. 2.

7 In whose name all writts, Indictments and proces made within any Libertie, and in whose name the Teste of the same shall be awarded. See Prerogative. 18.

8 For the executing and returning of writts in Franchises. S. Returnes, 3. 6. 7. 8.

9 What persons, and of what sufficiencie shall be returned by Baylifes of Franchises to enquire of Riots. S. Riots. 17.

10 In what time Baylifes of Franchises shall array Affises and deliuer the Copies. S. Affise. 8.

11 That the Sherife may not enter into any Franchise to execute their precept, which be Commissioners, to enquire of the decay of Tillage. S. Sherifes. 24.

12 Where the Sherife shall make his precept to a Bayllife of a Franchise, and where hee himselfe shall deliuer cattell impounded. See Sherifes. 30.

Fraudulent deedes, Gifts &c.

Fraudulent
deedes to as
supra other
mens duties
by hoppe.

All and euery feoffement, gift, graunt, bargaine, alienation and conueyance of lands, tenements, hereditaments, goods, cattels, or of any Lease, Rent, Common, or other profite or charge out of the same lands, hereditaments, goods, &c. or any of them by writing or otherwise, and all and euery bond, suite, Iudgement, and Execution at any time had or made, since thence the beginning of our Soueraigne Lady Queene Elizabeths reigne, or at any time hereafter to be had or made, which haue bene, and are deuised, and contriued of malice, fraude, contrin, collusion or guile, to the intent &c. to delay, hinder, or defraude Creditors, and others of their iust and lawfull actions, suites, debtes, accomptes, dammages, penalties, forfeitures, barres, mortuaries or reliefes, shalbe taken and deemed onely against that person, his heires, executors, successors or assignes, whose actions, suites, debtes, accomptes, &c. by such guilefull or fraudulent deedes, deuises, practises, are, shall or might be in any wise hindered, delayed, or defrauded, to be cleeren by voyde and of none effect, any colour, fained consideration, expressing of use, or other matter to the contrary notwithstanding: But this Statute shall not extend to any estate in lands, Leases, goods, &c. assured vpon good consideration, and Bona fide to any person or persons, bodies politique or corporate, not hauing at the time of such conueyance &c. any knowledge of such fraude, collusion, &c. 1.R.2.9. 2.R.2.3. 13.Eliz.5. 29.Eliz.5.

Parties to
fraudulent
deedes.

2 All the parties to such falsed or fraudulent feoffement, gift, graunt, alienation, bargaine, conueyance, bond, suit, iudgement, execution, &c. or being priue or knowing of the same, which shall wittingly and willingly put in vze, auowe, maintaine, iustifie, or defend the same, or any of them, as true, simple, and done or made Bona fide, and vpon good consideration, or shall alien, or assigne any the lands, tenements, goods, Leases &c. to them conueyed, or any part thereof, shall forfeit to the Queene &c. and the P. greiued by such fraudulent feoffement, gift, bond, suit &c. one yeeres value of the said lands &c. Leases, Rents, or other profits, and the whole value of the said goods and cattels, and so much money as shalbe contained in such countous and fained bond, to be recovered by A. J. &c. wherein no W. &c. E. P. &c. And being thereof lawfully convicted, shal suffer imprisonment one halfe yeere, without baile or mainprise. 13.El.5. 29.El.5.

Common re-
coeries.

3 But common recoveries had against tenant in tale or other tenant of the freeholde of lands, the reuerſion or remainder, or right of reuerſion or remainder whereof then shalbe in any other person, shall as touching such person, and his heires which hath the reuerſion or remainder, be of like force, and notte obey, as the same should haue bene if this Act had not bene made, and no estate or conueyance, by reason wherof any person shall vse any voucher in any wise of Formedon, shall be made voyde by this Act: But euery such Voucher in any wise of Formedon, shall be of like force, as if this Act had not bene made. 13.El.5. 29.El.5.

Doncher in
Formedon.

4 All and euery conueyance, graunt, charge, lease, estate, incumbrance and limitation of vse or vles, of, in, or out of any lands, tenements, or other hereditaments whatsoever, had or made at any time heretofore, since the beginning of the Queenes Maiesties reigne that nowe is, or at any time hereafter to be had or made, for the intent and purpose to defraude and deceiue such person or persons, bodies politique and corporat, as haue purchased, or shall afterwarde purchase in fee simple, fee taile, for life, liues, or yeeres, the same lands, tenements and hereditaments, or any part or parcel thereof, so formerly conueyed, graunted, leased, charged, incumbered or limited, in vse, or to defraude and deceiue such as haue or shall purchase any rent, profite or commoditie, in, or out of the same, or any part thereof, shall be deemed and taken onely as against that person or persons, bodies politique and corporat, his and their heires, successors, executors, administrators and assignes, and against all and euery other person and persons lawfully hauing or clayming by, from or under them, or any of them, which haue purchased, or shall hereafter so purchase for money, or other good consideration the same lands tenements or hereditaments, or any part or parcel thereof, or any rent, profite or commoditie in or out of the same, to be utterly voyde, frustrate, and of none effect: Any pretence, colour, faigned consideration, or expelling of any vse or vles to the contrary notwithstanding. 27. Eliz. 4.

Fraudulent conueyances to defraude purchasers.

5 All and euery the parties to such faigned, couenous, and fraudulent gifts, graunts, leases, charges or conueyances before expressed, or being priuie and knowing of the same, or any of them, which shall wilfully put in vse, auow, maintaine, iustifie or defend the same, or any of them, as true, simple, and done, had or made bona fide, or vpon good consideration, to the disturbance or hinderance of the sayde purchaser or purchasers, leasers, or grauntees, or of or to the disturbance or hinderance of their heires successors, executors, administrators, or assignes, or such as haue or shall lawfully claime anything by, from or under them or any of them, shall incurre the penalte and forfeiture of one yeres value of the said lands and hereditaments so purchased or charged. The one moitie whereof to be to the Queenes Maiestie, her heires and successors, and the other moitie to the partie or parties grieved by such faigned and fraudulent gift, graunt, lease, conueyance, incumbrance, or limitation of vse, to be recouered in any of the Queenes Cours of Record by A. of debt, B. p. or T. wherein no C. p. or W. &c. and also being thereof lawfully convicted, shall suffer imprisonment for one halfe yere without baille or mainprise. 27. Eliz. 4.

Parties to fraudulent conueyances, which doe auow the same

6 This Act, or any thing therein conteined, shall not extend or be construed to impeach, defeat, make voyde or frustrate any conueyance, assignement of lease, assurance, graunt, charge, lease, estate, interest or limitation of vse or vles, of, in, to, or out of any lands, tenements or hereditaments heretofore at any time had or made, or hereafter to be had or made vpon or

Conueyances made vpon good considerations and bona fide.

for good consideration and bona fide, to any person or persons, bodies politique or corporat, Any thing before mentioned to the contrary hereof notwithstanding. 27. El. 4.

Conueyances
with condition
of reuoca-
tion or altera-
tion.

7. ¶ If any person or persons haue heretofore, since the beginning of the Queenes Maiesties reigne that now is, made, or hereafter shall make any conueyance, gift, graunt, demise, charge, limitation of vse or vses, or assurance of, in, or out of any lands, tenements or hereditaments, with any clause, provision, article, or condition of reuocation, determination, or alteration, at his or their will or pleasure of such conueyance, assurance, graunt, limitation of vses or estates, of, in, or out of the said lands, tenements or hereditaments, or of, in, or out of any part or parcell of them, contained or mentioned in any writing, deed, or indenture of any such assurance, conueyance, graunt or gift, and after such conueyance, graunt, gift, demise, charge, limitation of vses or assurance, so made or had, shall or doe bargain, sell, demise, graunt, conuey, or charge the same lands, tenements or hereditaments, or any part or parcell thereof, to any person or persons, bodies politique or corporat, for money or other good consideration payde or giuen, the said first conueyance, assurance, gift, graunt, demise, charge or limitation not by him or them reuoked, made voyde, or altered, according to the power and authority reserved, expressed vnto him or them, in and by the said secret conueyance, assurance, gift or graunt: Then the said former conueyance, assurance, gift, demise, and graunt as touching the said lands, tenements and hereditaments so after bargained, solde, conueyed, demised or charged against the said bargaines, vendees, lessees, grauntees and euery of them, their heires, successors, executors, administrators and assignes, and against all and euery person and persons which haue, shall or may lawfully claime any thing, by, from, or vnder them or any of them, shall be deemed, taken, and adiudged to be voyde, frustrate, and of none effect by vertue and force of this present Act. 27. El. 4.

Mortgages.

8. ¶ Provided neuertheless, that no lawfull Mortgage, made or to be made bona fide, and without fraude or couin vpon good consideration, shall be impeached or impayred by force of this Act, but shall stand in the like force and effect, as the same should haue done, if this Act had neuer bene had or made: Any thing in this Act to the contrary, in any wise notwithstanding. 27. El. 4.

Assurances of
lands defeated
and the parties
in possession
before the Act.

9. ¶ This Act nor any thing therein contained, shall extend or be construed to make good any purchase, graunt, lease, charge or profite of, in, or out of any lands, tenements or hereditaments heretofore made voyde, defeated or vndone by reason of any former conueyance, graunt, or assurance, so as the parties or parties, or their heires or assignes, which haue so defeated or made voyde the same, were in actual possession the first day of this present Parliament, of, or in the said lands, tenements or hereditaments, whereof, or out of which any such purchase, graunt, lease, charge, or profite was made. 27. El. 4.

10. ¶ This

10 **T**his Act, or any thing therein contained, shall not extend in any sort, to reſtaine or impaire the iuriſdiction, power or authoritie of the Court of Starre chamber. 27. El. 4. This Act to continue for ſpace of ten yerres, and from thenceforth vnto the ende of the Parliament then next following.

Authoritie of
the Starre
chamber.

1 For fraudulent deedes made by an Eccleſiaſticall perſon, to defeate his Suſſeſſors of their remedy for Dilapidations. S. Dilapidations. 1.

2 That fraudulent conueyances made by Fugitiues ſhall be voyde againſt the Queene. S. Fugitiues. 4.

3 For fraudulent conueyances to defeate the Lord of his warde, marriage or reliefe. S. Wardes. 1. 2. 24.

4 For fraudulent conueyances made of any Abbey, Chantry, Colledge, or free Chappel lands. S. Monasteries. 4. 9. 26.

5 For Colleterall and fraudulent aſſurances made of lands to the uſe of any Church, Chappel &c. S. Mortmaine. 8.

6 For fraudulent conueyance to defeat the Queene or any other of any benefite that may ariſe vnto them by the ſtat. of 23. Elz. 1. S. Sacraments. 15.

7 That Statutes marchant and of the Staple ſhall be entred of Record to deteſt fraude in them if any be intended. S. Statutes. 15. 16.

Freeholde.

Whoſoeuer doeth conſtraine any perſon to appeare before the Countſell of a Lord, Lady, or any other, to anſwer for his Freeholde, or any thing touching his Freeholde, or for any other thing reall or perſonall, which belongeth to the Law of the Realme in any maner, ſhall forfeit to the Queene xx. li. 15. R. 2. 12. 16. R. 2. 2. No man ſhall diſtraine his Freeholder, to anſwer for his Freeholde or any thing thereunto belonging without the Queenes writ, nor ſhall cauſe his Freeholder to ſwear againſt his wil, for that no man can doe without the Queenes commandement. 52. H. 3. 22.

Fuel.

All Tallow, Billet, Fagot, and Coles to be made or put to ſale within the Cities of London and Weſtminſter, or in the ſuburbes of the ſame, ſhall keepe the Aſſiſes following, v. every ſacke of Coles ſhall containe ſoure buſhels of good and cleane Coles. And every Tallow ſhall containe in length ſoure foote beſide the carſe. And every Tallow named of one, to containe in greatneſſe within a foote of the middeſt xvi. ynches about. And every Tallow named of two, to containe in greatneſſe within a foote of the middeſt xxi. ynches about. And every Tallow named of three to containe in greatneſſe within a foote of the middeſt xxvi. ynches about. And every Tallow named of foure to containe in greatneſſe within a foote of the middeſt xxxi. ynches about. And every Tallow named of ſiue to containe in greatneſſe within a foote of the middeſt xxxvi. ynches about. And every Billet

The Meaſure of
Fuel.

Fugitiues ouer the Sea.

to containe in length three foote and foure ynches. And euery Billet named a single, to containe seven ynches di. about. And euery Billet named to be a Cast, to containe ten ynches about. And euery Billet named of two Cast, to containe xiiii. ynches about. And euery Fagot bed to containe in length three foote, and the band of euery such Fagot, to be of xiiii. ynches about besides the knot. And it shalbe lawfull for euery owner, without danger of any forfeiture, to make Billets of two Castes. And all Billets of two Castes to be made and put to sale, shalbe of the Assise herein contained or more, and shalbe marked onely within sixe ynches of the midst thereof. And euery Billet of one Cast to be made and put to sale, shalbe onely marked within foure ynches of the end thereof, vpon paine that euery maker and euery seller that shall make any such Fuel or Coles, and put the same to sale, to forfait for euery shidde of Talwood, Billet, Fagot, or sacke of Coles put to sale, lacking of the Assise aforesayd, iii. s. iiii. d. to the Queene and Inforner, to be recovered by Action, B. P. J. wherein no M. C. P. 7. Ed. 6. 7.

None shal buy
Fuel, but such
as will burne
or retaille the
same.

2 **N**o person or persons shall buy any Fuel, Coles or wood, but onely such as will burne or consume the same, or such persons as shall sell the same againe by retaille, to such as shall burne or consume the same for their owne occupying without fraud or couin, or Wharfingers or Bargemen, vpon paine to forfait to the Q. and J. treble the value of all such wood, Coles and Fuel, as shall be otherwise bought for any lucre againe, to be recovered by A. B. P. J. wherein no M. C. P. And no person or persons shall alter any marke or assise of any of the sayd Fuel, marked or sized according to this Statute, vpon paine of like forfeiture as is abovesayd. 7. Ed. 6. 7.

Altering the
marke or assise
of Fuel.

The forfeit and
penaltie.

3 **N**o person or persons shal peelde, ne forfait any penaltie herein contained, vntil Action or suit be commenced for the same, within one whole peere next after the offence thereof committed. And if any cutter or maker as is aforesayd, or other that shall forfait any summe herein contained, shall not be able to peelde such forfeiture or summe as is aforesayd, then such person thereof convicted by witnesses or otherwise, to be set on a Pillorie in the next Market Towne to the place where he shall so offend, by a Justice of Peace, or any other of the Queenes Officers, at a xi. of the clocke vpon the Market day, with a Billet or Fagot bounden to some part of his body, and so to be discharged of the said forfeiture. 7. Ed. 6. 7.

What woods shall not be converted to Fuel for the making of Iron. S. Iron.

Fugitiues ouer the Sea.

Departing the
realme without
the Queenes
licence.

Whosoeuer passeth out of the Realme without the Queenes license, (except Lords and Great men of the Realme, and true and notable marchants, and the Queenes Souldiers) shall forfait to the Queene all his goods. And the Master or Mariner of the Ship, or of the Vessel in which he shall carry beyond the Sea any person, (but onely such as be before excepted,) cepted,)

cepted,) without the Queenes license, and is thereof convicted, shall forfeit to the Queene his sayd Vessel. And if the Searcher or Warden of any Port or Passage doe through negligence, or in other maner suffer wittingly any person to passe forth of the Realme (other then is before excepted) or any Gold or Siluer in money, Bullion, Plate, or Vessel to be caried forth of the Realme, and is thereof comit, he shall forfeit to the Queene his Office, and all his goods, and be imprisoned a whole peere. 9. Ed. 3. 10. 5. R. 2. 2. See there, that no license ought to be made to passe forth of the Realme, but onely in one of the Portes of London, Sandwich, Douer, Southhampton, Plimmouth, Dertmouth, Bristowe, S. Botolph, Kingstone vpon Hull, New castell vpon Tine, and the other Portes and Passages towards Ireland, and the Isles pertaining to the Realme of England.

Out of what Port ech man ought to passe forth of this Realme.

2. If any Subiect bozne within the Queenes Dominions, or free Denizen of this Realme, hath licence the first day of the Queenes reigne passed, or hereafter during the life of our Soueraigne Lady Queene Elizabeth shall passe out of any her Graces Dominions at any place whatsoever, into any Countrey of any foireine Prince or Gouvernour without the Queenes speciall license, by wyting vnder the Great Seale, Priue Seale, or Priue Signet, and doeth not returne into the Realme of England, and there yeeld his body to the custody and warde of the Sherife of the Countie where hee shall arrive, or to some of the Queenes Priue Counsaile, within sixe moneths next after Proclamation made by the Queenes Maiestie vnder her Great Seale, for the returne of his body, he shall forfeit to the Queene the whole profites of all his lands and hereditaments during his life, whereof he is seised of any estate of freeholde or inheritance in his owne right or his wifes, and also all his goods and cattels: And all the Ecclesiasticall promotions of euery Spirituall person so offending shall be utterly voyde, and the Patron may present to the same as though the Incumbent were dead, &c. But this Act shall not extend to any knowen Marchant of England, Ireland, or the Dominions of the same, or to any of their knowen seruantes, Apprentices, or Factors, or to any knowen Masters of Ships, Mariners, Shyplers or Gunners, concerning their departure out of the same without license, into a foireine Dominion, for their onely trade of marchandize, so that such Marchant, Seruant, Mariner, &c. shall not or haue not attempted any thing contrary to the duetie of his allegiance, or to the prejudice or perill of the Queene, or the state of any of her Dominions, and shall yeelde his body vpon Proclamation for his returne. 13. Eliz. 3.

Departing the Realme, and not returning vpon warning

Spirituall persons.

3. The like forfeiture shall he make which at any time licence the first day of the Queenes reigne hath departed, or during the Queenes life shall depart out of any of her Graces Dominions by her license into any foireine Countrey, and doeth not returne and yeelde his body as is aforesayd, within sixe moneths next after the expiring of the time appointed by such license, if he shall be at his owne libertie and not restrained, or not licensed for a further

For. for not returning, his license being expired,

Fugitiues ouer the Sea.

In what sort
the Queene
may vse fugi-
tiues lands.

Restitution
vpon submis-
sion.

Fraudulent
gifts made by
Fugitiues, be
vopd against
the Queene.

The grauntee
of Fugitiues
lands shal vpo
request declare
the considera-
tion.

terme. 13. El. 3. And in both these cases during the time that the Queene shall haue the profits of the sayd Fugitiues lands &c. he may let, set, and make grauntes by Cope of Court roule, vsuall woodsales, and other things to all intenes and purposes, as a tenant Pur terme daunter vie lawfully may doe. 14. El. 6. But if any offender that hath forsaited the profite of his lands will repent him of his offence, retorne againe into England, peele himselfe to the Sherife of the Shire, or to any one of the Queenes Priue Counsell, acknowledging his fault, submitting himselfe to the Queenes obedience, and fully reconcile himselfe to true religion established within this realme, declaring his reconciliation to the Bysshop of the Dioces, and shewing the same openly by comming to Diuine seruice appointed, and receiuing the holy Communion, then after one yeere expired, hee bringing to the Lord Chauncelour or Keeper, a certifficat from the Bysshop of the Dioces, and the Curate of his Parish, of his vnfained reconciliation, shalbe restored to all his lands, and the profits thereof from thenceforth to be due. 13. El. 3.

4 ¶ If any of the foresaid Fugitiues do by couin and fraud, make, cause, or suffer to be made any conueiance &c. of his lands &c. or any gift, graunt or other deuise of his goods and cattels, to the intent and vpon priue confidence, that the profits thereof may be employed in such forme, and to such vses as he shall appoint, and that be found by Office to be couin &c. the sayd conueiances, gifies and deuises shall be (as touching the Queenes interest and against her Grace) utterly voyde. And hee shall haue the sayd lands, goods &c. as if the Offendor were thereof actually seised or possessed, Sauing to all other persons their heires, assignes and successors (other then to the said Fugitiues and their assignes) all such right, title, interest, commoditie &c. as any of them shall haue in the sayd lands before the departing or not returning of such person. 13. El. 3.

5 ¶ If any person to whom any estate, graunt, lease, or other conueiance is, or shalbe made by any Fugitiue, of any lands, goods, &c. doe not within thre moneths next after Proclamation made in the Queenes name, vnder the Great Seale in any Countrey where the same lands &c. doe lie, cruelly declare vpon his othe, either before the Queenes Commissioners for that cause authorized, or before the Barons of the Eschequer, or some of them, to what vse and intent such estates, graunts, and conueyances were made, according to the truely without concealment, he shall forfeit to the Queene twentie pound, and also be imprisoned during her pleasure. And if any person being sent for to be examined by the Barons of the Eschequer, or by Commissioners authorized vnder the Great Seale, to inquire of Fugitiues lands and goods, shall not appeare at the day and place to him appointed, hauing no lawfull excuse to the contrary, or after apparance shall depart without license of such as haue power to examine him, or shall refuse to answer to such Interrogatories as shall be ministered vnto him, touching Fugitiues lands, or goods, and the circumstances and depen-
dances

bauntes of the same, then hee shall pay vnto the Queene such fine for the said contempt, as shall be assessed by such befoze whom the said examination should be made. 13. Eliz. 3.

6 ¶ If any person by reason of his conscience departeth out of the Realme without licence, or hauing licence, earieth after the time appointed by Proclamation be expired, and did not befoze nor after his departure, conspire, and by open acte declare any euill mind to the Queene, her estate or quiet gouernement: Then the Lord Chauncellour or Keeper, vpon petition made, shall appoint for the maintenance of his wife and childzen, or any of them a reasonable portion of his lands, not vnder the fourth part, nor aboue the third, of the landes for, to the Queene by this act, during the life and absence of the Fugitive, so that the said Fugitive did not make sufficient conuepance & provision for them befoze, by the iudgement of the Lord Chauncellour or Keeper. 13. Eliz. 3.

Provision for
a fugitives
wife and child-
zen.

7 ¶ If any noble man being a Peere of this Realme, doe depart the Realme, whose departure shall not be contrary to the lawes and statutes of this Realme, then he shall not incurre any paines or forfeitures provided by this act, vnlesse he be commanded by the Queenes letters, vnder her priuie Seale or Signet to returne. And after such warning doe not repaire into this Realme, according to the tenour of the same letters within eight moneths after the deliuerie of such letters vnto him, or if such letters shall not be deliuered vnto him, so as he may well returne within eight moneths after the sending thereof, then vnlesse he doe returne within other eight moneths next after Proclamation made, as is aboue appointed. And if any such Noble man, which shall so depart out of this Realme, and which doeth not befoze his departure nor after, practise, or deuise any thing against the Royall person of the Queene, or the quiet estate of any her Dominions, doe returne into this Realme, and yeeld himselfe to two of the Queenes priuie Counsell, acknowledging his offence, then he shall be from thence forth restored to all the rentes and profites of all his landes and hereditaments, which from thenceforth should growe due vnto the Queene by reason of this act, and then the Queenes title to the profite of his landes by vertue onely of this act, shall cease. 13. Eliz. 3.

Noblemen de-
parting the
Realme.

1 That an Englishman sworne subiect to a forraine Prince, shall pay all impositions as a stranger. S. Custome &c. 12.

2 That none shall depart for any Conuocation or assembly for religion beyond the Sea. S. Conuocation. 3.

Fustians,

Who so ever doeth vse Irons on Fustians vnshorne, where with to breake off the nappe and cotten of the same, or any instruments, or other vntrue subtil meane, or sleight vpon any Fustian within this Realme, but onely the broad sheares, shall forfeite for every default xx. s. to the Queene and Informer, to be recovered by A. J. &c. wherein no W. &c. T. &c. The

Vntrue
sleights vsed
vpon Fustia.

Upon Knights spures, and the apparell which belongeth to a Baron, or one about the estate of a Baron, shall forfait to the Queene tenne times so much as the thing gilt is of value, and shall also be one yere imprisoned. 8. H. 5. 3. But Artificers may worke ornaments of the Church of Copper and Latten, and gild of silver the same, so that in the foot of other part, the Copper and Latten be plaine, that a man may see whereof it is made. 5. H. 4. 13. And whosoever doeth gild any silver ware other then of the alay of the English Starling, shall forfeit to the Queene the value thereof. 2. H. 5. 4.

8. ¶ No Goldsmith making white vessel, shall meddle with gilding, nor any using gilding shall make any white vessel, upon paine to forfait the value of the vessel so made of gilt. 37. Ed. 3. 7.

9. ¶ If any Goldsmith doeth suffer any vessel of Gold or Silver to depart from him before it be assayed by the Wardens of the same Mysterie, and touched with the Leopards head, or doeth set any stone in Gold, except it be naturall, he shall be imprisoned and make fine at the Queenes pleasure. 28. Edm. 1. 20.

10. ¶ No Goldsmith shall worke, sell, exchange, or cause to be wrought, solde, or exchanged any Plate or other Goldsmithes wares of Gold, lesse in fineness then that of twentie two Carottes, and shall use no Socher, Amiel, nor other stuffings whatsoever in any of their workes more then is necessarie for the finishing of the same, nor shall take above the rate of twelve pence for the ounce of Gold (besides the fashion) more then the Buyer shall or may be allowed for the same at the Queenes Exchange or Mint, upon paine to forfait the value of the thing so solde or exchanged, to the Queene and partie grieved, to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 18. Eliz. 14.

11. ¶ No Goldsmith shall make, sell, or exchange in any place within this Realme any plate, or Goldsmithes wares of Silver, lesse in fineness then that of xi. ounces two pennie waigbt, nor take above the rate of xii. d. for every pound waigbt of Plate or wares of Silver (beside the fashion) more then the Buyer shall or may be allowed for the same at the Queenes Exchange or Mint. Nor shall put to sale, exchange, or sell any Plate or Goldsmithes worke of Silver, before he hath set his owne marke to so much thereof, as conveniently may beare the same, upon paine to forfait the value of the thing so sold, or exchanged, to the Queene and partie grieved, to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 18. Eliz. 14.

12. ¶ If any Goldsmith shall make any Goldsmithes worke or Plate, and the same shall be touched, marked, and allowed for good by the Wardens or Masters of that mysterie, and in the same there shall be found any falsehood or deceit, then the Wardens and Corporation of that mysterie for the time being, shall forfait and pay the value of the thing so exchanged or sold, to the Queene and partie grieved, to be recovered by A. J. &c. wherein no Wager, &c. E. P. &c. 18. Eliz. 14.

None shall make both white vessel and gold.

Vessel of Silver and gold shall be assayed and touched.

The fineness of Goldsmithes wares of gold.

Twelve pence an ounce for gold beside the fashion.

The fineness of Goldsmithes wares in silver.

The goldsmith shall set his marke to his worke.

Wardens allowing faultie ware.

Gunnes and Crossebowes.

- 1 That there shalbe no more giuen for coyned Gold or Silver, then it is currant by Proclamation. S. Money. 1.
- 2 That gold or silver may not be deliuered to any Aliens. S. Money. 2.
- 3 That no man shall transport gold or silver. S. Money. 3.
- 4 Who may weare any Ornament of gold, and who not. See Appell. cell. 4. 5.

Gunnes and Crossebowes.

Keeping of
shooting in
Gunnes.

IF any person doe shoote in any Crossebow, Handgunne, Hagbut, or Demibake, or keepe any of them in his house, or else where, except he or some other person to his vse, hath in his owne, or in his wifes right, landes, tenements, fees, annuities, or offices, to the yeerely value of C. li. he shall forfait for euery offence x. li. to the D. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 33. H. 8. 6.

The length of
a handgunne,
hagbut, demi-
bake.

Who may
take the gunne
or Crossebowe
from the offend-
our.

2 Every person which shall shoote in, carrie, keepe, vse, or haue in his house, or else where, any Handgun, other then such as shall be in the stocke and gunne of the length of one whole yarb, or any Hagbut or Demibake, other then such as shall be in the stocke and gunne of the length of three quarters of a yarb, shall forfait for euery offence x. li. to the D. and J. And euery person hauing landes, fees, annuities, or offices to the yeerely value of C. li. may seise and take euery such Handgunne, Hagbut, and Demibake, being of shorter length, then is befoze limited from the offendour, and also euery Crossebowe from any person not hauing landes, offices, &c. to the value of C. li. by yeere, and retaine the same to his owne vse, which Handgun, Hagbut, and Demibake, hee which seiseth them, must breake within twentie dayes after seisure, or else he shall forfait for euery of them. s. l. s. to the D. and J. &c. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 33. Hen. 8. 6.

Carrying a
Crossebowe
bent or gunne
charged.

3 Who so euer shall carry or haue in his iourney on foote or horse- backe any Crossebowe bent, or Gunne charged, or furnished with powder, fire, or touch for the same, except it be in time and seruice of warre, other then such as haue landes, annuities, fees, or offices, to the yeerely value of C. li. shall forfait for euery offence x. li. to the D. and J. &c. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 33. Hen. 8. 6.

Shooting in a
cittie or market
towne at a
thing at large.

4 He that doth shoote with a Handgunne, Demibake, or Hagbut, at any thing at large, within a Cittie, Borough, or market Towne, or within a quarter of a mile of either of them, except it bee at a Butte or Banke of earth in a place conuenient, or for the defence of his person or house, shall forfait for euery shoote x. li. to the Quene and Informer &c. 33. H. 8. 6. And if any person vnder the degree of a Loyde of the Parliament doth shoote in a Handgunne in a Cittie or Towne, at any marke vpon a Church, house, or bouerote, he shall forfait for euery offence x. li. and be imprisoned three moneths. 2. Cu. 6. 14.

The master
commanding
his seruants to
shoote

5 Who so euer doeth command any of his seruants to shoote in a Crossebowe,

Crossebowe, Handgunne, Hagbut, or Demibake, of the mastery or other persons, at any Death, Foul, or other thing, except it be at a butte or banke of earth, or in time of warre, shall forfait for every offence tenne pound to the Queene and Justiciary, to be recovered by A. J. or. where in no III. or. C. P. or. But if the Queene doe not commence her suite within one yeere, and every other person within halfe a yeere next after the offences committed, for any penaltie or forfeiture to any of them given by this statute, they shall be excused of their actions and suites, and the offenders clearly discharged. 33. Hen. 8. 6.

6. It is lawfull for every person to arrest or attache any person, which hee seeth or knoweth offending contrarie to the effect of this acte, and to bring him to the next Justice of peace in the same Countie, which Justice upon due examination and prooffe, may commit the offender to the next Gaole, there to remaine untill hee hath payde such penaltie, as hee hath lost by this statute, of which penaltie the Queene shall have the one halfe, and the said bringer the other. 33. Hen. 8. 6. Justices of peace. 44.

7. But it is lawfull for all gentlemen, yeomen, and serving men of every Lord, and of all Knights, Esquires, and Gentlemen, and to all the inhabitants of Cities, Boroughs, and Market Townes of this Realme of England, to shote with any Handgunne, Demibake, or Hagbut, at any butte or banke of earth, onely in place convenient for the same, so that every of them be of the severall lengths aforesaid and not under. And it is lawfull to every Lord, Knight, Esquire and Gentleman, and the inhabitants of every Citie, Borough, and market Towne, to have and keepe in every of their houses any Handgunne, of the length of one whole yerde, or any Hagbut, or Demibake, of the length of three quarters of the yarde, and not under, to the intent to shote with the same at a Banke of earth, or Butte onely. And every person which dwelleth in any house, being distant two furlongs from any Citie, Borough, or Towne, may keepe in his house for the onely defence of the same, Handgunnes, Hagbuts, and Demibakes of the severall lengths aforesaid, and not under, and may use to shote in the same, at any Butte or Banke of earth, neere to his house and not otherwise. And every person appointed by the Queene to keepe or receive any Crossebowes, or Handgunnes forsaide, or taken within the precincts of her Forrester, Parkes, or Chases, may lawfully retaine the same, buttill hee further pleasure be to him declared. And the makers of Crossebowes, and Handgunnes, may lawfully keepe Crossebowes, Handgunnes, Hagbuts, and Demibakes in their houses, and shote in the same onely for assaying of them at a Butte or Banke of earth in place convenient, and not otherwise, so that the same bee of the severall lengths above limited. And it shall bee lawfull to such persons and their servants which be charched by the Statute of 4. and 5. Phil. and Ma. to finde any Hagbut, to shote at such lawfull markes as be therein specified, or at their owne proper games, so that they carry not, or use

Every man may arrest an offender.

Who may keepe or shote in gunnes.

Who may keepe or shote in gunnes.

Who may keepe or shote in gunnes.

Who may keepe or shote in gunnes.

Who may keepe or shote in gunnes.

to use the same Dagbut in any highway, except it be coming or going to or from the musters, or marching to warre, or from y^e defence of the Realm.

To these persons this Statute extendeth not.

IN THE FIRST YEAR OF THE REIGN OF KING HENRY THE SEVENTH.

IN THE FIRST YEAR OF THE REIGN OF KING HENRY THE SEVENTH.

IN THE FIRST YEAR OF THE REIGN OF KING HENRY THE SEVENTH.

IN THE FIRST YEAR OF THE REIGN OF KING HENRY THE SEVENTH.

IN THE FIRST YEAR OF THE REIGN OF KING HENRY THE SEVENTH.

IN THE FIRST YEAR OF THE REIGN OF KING HENRY THE SEVENTH.

IN THE FIRST YEAR OF THE REIGN OF KING HENRY THE SEVENTH.

IN THE FIRST YEAR OF THE REIGN OF KING HENRY THE SEVENTH.

IN THE FIRST YEAR OF THE REIGN OF KING HENRY THE SEVENTH.

IN THE FIRST YEAR OF THE REIGN OF KING HENRY THE SEVENTH.

33 Hen. 8. 6. 4. and 5. And 9. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

8. This Acte shall not extend, or be prejudiciall to any marchantes having any Crossebowes, Handgunnes, Dagbutts, or Demibakes to sell, and to none other use, so that the same be of the severall lengths above limited, and not under. Neither shall it extend to any of the Duchies subjects, whose houses be not above five mile distant from the Sea coast, or which be inhabiting within twelve miles of the Borders of Scotland, or which be inhabitants of the Isles of Orkney, Shetland, Anglesey, Wight, and Man. But it is lawfull for every of the same inhabitants to have, and use their Handgunnes, Dagbutts, & Demibakes, of the lengths above said within the said limits and Isles, so that it be at no Deere, Shoveler, Whelme, Partridge, wild Swanne, or wilde Elke. Neither shall this Acte extend to any owner of any Shippe, for having or keeping of any Handgunne, Dagbut, or Demibake, of the severall lengths above expressed, or under, oneself to be had and occupied within any their Ship or other Vessel, or for the carriage and recarriage of them on land, or keeping them, for the onely exercise of them within their said Ship or Vessel. Neither shall this Acte be prejudiciall to any servant or person that shall hunt, hunt, carrie, charge, use, or assay any Crossebowe, Handgunne, Demibake, or Dagbut of the lengths aforesaid, by the commaundement of his Lord or Master, so that he doe not shoot at any Fowle, Deere, or other game. Nor to any such servant or person, that shall hunt, hunt, carrie, charge, use, or assay any Crossebowe, Handgunne, Dagbut, or Demibake, of the lengths aforesaid to any place by the commaundement of his Lord or Master that may shoot to be repayed, amended, delivered or assayed, so that the same servant or person have ready to shewe to every person requiring the sight thereof, one licence in writing, sealed or subscribed by his said Lord or Master to carrie the same Crossebowe &c. to be amended, assayed, or delivered. 33 Hen. 8. 6.

9. If any person obtaine of the Over heires or successors any Placard, Licence, or Bill assigned to shoot in a Crossebowe, Handgun, Dagbut, or Demibake, contrary to the purport of this Act, then there shall be conceived therein at what Beastes, or other Fowles hee shall shoot, or else the same Placard &c. shall be void. And every such person before he doeth shoot, shall be bound in the Chauncerie in Recognisance in xx. pound to the Queene, &c. that he shall not shoot at any other Beastes or Fowles, then is specified in his Placard, licence, or bill assigned. And all Placards, licences, and bills made to any person not bound, shall be void. 33 Hen. 8. 6.

10. Whosoever shall shoot in any place any Wallshote, or more pellets then one at one time, shall forfeite tenne pound, and be imprisoned three moneths. 2 Ed. 6. 1. 4.

11. All persons authorized to shoot, or otherwise, are bound under the

the paine of xij. s. in any Hundred, or Parish, to present their names to the next Justice of peace of the Shire, if he dwell in the County, or to the Mayor or head Officer, if he dwell in a Towne, corporate, to the intent the Clerke of the Peace may keepe a Booke of the names of all such, that the Queene may know how many able persons she hath in each County for that service, and the Justice, Mayor, and head Officer are bound in the like paine to receive their names. 1. Ed. 6. 1. 4.

Where, in what case, and in what manner it shalbe lawfull for a Gunner to take an Apprentice, Si Labourers, 30.

The punishment of a Gunner which taking prest wages to serve the Queene, departeth from his Captaine. S. Selonie. 23. Mariner. 1.

Hattes, Cappes.

Every person above the age of six peeres inhabiting and abiding within any of the Cities, Boroughs, Townes, Villages, or Hamlets of this Realme, shal vse and weare upon the Sabbath and holy day (unless in time of his travel out of the said Cities, Townes &c.) upon his head one Cappe of Woolle, knit, thicked, made and dyed in England, and onely dyed and finished by some of the Science of Cappes, upon paine of foif. for every day not so wearing iii. s. iii. d. (except Maidens, Ladies, and Gentlewomen, all noble personages, every Lord, Knight, and Gentleman of the possessions of twenty markes land by yeere, and their heires, and such as haue boyme office of worshippe in any Citie, Borough, Towne, Hamlet, or Shire, and such as haue bene Wardens of the worshipfull companies of London.) 13. Elizabeth. 1. 9.

If any child, servant, or ward above the age of six peeres, and under xxi. shall offend contrary to this Statute, his Parent, Guardian, Sounour, or master, with whom he shall remaine, or dwell, shall forfeit the penalte aforesaid. 13. Elizabeth. 1. 9. S. Justice of peace. 45. Lectes 12.

Whosoever doeth by himselfe, or any other, make or worke any felt or hat, of, or with any foraine wool, or stufte, (unless such person hath first bene Apprentice, or covenant servant to the mysterie of Felt or Hatmaking, by the space of seven peeres at the least) shall forfeit all such Hats or Felts which he shall make or worke, and five pound for every moneth that he shall so continue. But every person that was a maker or worke of Hattes at the time of making the Statute, may so continue during his life, though he were not bound by the Statute for seven peeres. 8. Elizabeth. 1. 1. And whosoever doeth by himselfe, or by his servant or apprentice, worke any Felts or thymmed Hattes, or occupie the mysterie of making of Felts or thymmed Hattes within the Citie of Norwich, or Countie of Norfolk (unless hee be admitted to the same by the Mayor, Recorder, Steward, and two Justices of Peace of the said Citie, or by foure of them, or that he hath bene Apprentice to the same occupation by the space of seven peeres, or doeth make any Hattes or Felts, or occupie the mysterie thereof in any place out of the Citie of Norwich

The names presented of those which shoute in Gunnes.

Shal be sent to the Justice of Peace.

Wearing of Hattes upon holy dayes.

Persons excepted.

Child, servant, or ward offending.

None shall worke Hattes, but which have bene apprentice.

Making hats in Norwich & Norfolk.

Hattes and Cappes

Statute
to be made
in the
Parliament

Whiche within the Countie of Northfolke but only in a Corporation with
the Towne) shall forfeite the same Felts or Hats, & also x. s. for every halfe
dozen of them made contrary to the Statute. But if the Mayor, Recorder,
Sheriff, or Justices of peace of the Citie of London, take any reward for
admitting any person to occupie the said Arte, he shall forfe. for every offence
h. li. to the Q. and J. to be recovered by action, Information &c. where in no
W. &c. P. or foraine plea &c. 7. Ca. 8. 24.

Cappes of felt
or of wollen
cloth not knit.

4 **¶** Whosoever shall make, sell, or cause to be made or sold any Cappe,
or other thing of Felt but only Hattes, or shall make, sell, or &c. any Cappe
of wollen cloth not knit, or shall die or &c. any Cappe with Backe or Swarte,
but onely with Copoyas and Gall, or with Woad and Spadder, or shall
thicke or full in a mill any Cappe, untill the same be first well scowered and
closed upon the banke, and halfe thicked at the least in the sootebocks, shall
forfaite for every offence x. s. to the Q. and J. using Cappe making, where
in no W. &c. P. &c. 8. Eliz. 11.

Wping, thic-
king or fulling
of cappen.

Velvet hattes,
or cappen.

5 **¶** If any man under the degree of a Knighte, or a Lordes Sonne, doth
weare any Hatte or bypper Cappe of velvet, or covered with velvet, he shall
forfaite x. s. to the Q. and J. using the feate of Cappe making, where in no
W. &c. P. &c. 8. Eliz. 11.

Yolve many
apprentices
Hatters may
take.

6 **¶** If any maker or worker of Hats, doth take above two Apprentices
at one time, or doeth take those for any lesse time then seven yeeres at the
least, he shall for every Apprentice so taken, be one moneth imprisoned in the
common Gaole without baile or mainprie, and be from thenceforth disa-
bled to have any moze Apprentices then one at a time, and also such taking
of Apprentice is void. But this shall not charge any Felt or Hatmaker for
setting a worke his owne children in his owne house &c. 8. Eliz. 11.

The prices of
wollen caps
& hats made
beyond the sea.

7 **¶** Whosoever selleth any wollen Cap or Bonnet made in any partes
beyond the sea, above the price of ii. s. any Hatte above x. d. any single cro-
wed wollen Cappe, or single wollen Knightcappe made beyond the Sea, a-
bove five pence, shall forfeite for every Cappe, Hatte, and Bonnet so sold,
fourtie shillings to the Queene and Informer, to be recovered by Action,
Information &c. where in no W. &c. P. &c. But the buyer or wearer of
any such Bonnet, Hats, or Cappe, may lawfully detain the same, without
feiture or other forfeiture. 21. H. 8. 2. P. 11.

Customs payd
for hattes and
cappes.

8 **¶** If any wollen Bonnets, Hats, or Cappen made beyond the Sea, be
brought from any partes beyond the Sea, into any the Queenes Domin-
ions, the owner thereof or his servant shall bring them to the Customes of the
Citie, Port, Place &c. where they shall be laid on land, or discharged, & there
enter into the Customers bookes the custome for them, and pay the same, as
by the lawes and Statutes of this Realme her ought to doe, or else hee shall
forfaite them or the value of them. 1. P. 11.

Cappen and
hattes sold by
the Customes
and chiefe offi-
cer of the
Towne.

9 **¶** If he which bringeth any such Hattes or Cappen from beyond the
Sea, will carrie any of them away from the place where they be laid on
land

that before they be sold (according to the prices limited in the Statute 21 Hen. 8.) by the Custom of the Port &c. and the chiefe officer of the Towne, Port &c. where they be laid on land, he shall forfeite for every Hat or Cappe remoued or otherwile sold p. s. to the Queene and I. to be recovered by H.

Wherein no W. or C. P. &c. 1. P. 11.

10. If the Custom of the Citie, Port, Haven, or Creeke, where such Bonnets, Cappes, or Hattes shall be brought into any of the Queenes Dominions, from any of the partes beyond the Sea, doe not within two dayes after the entrie of the same Cappes or Hattes in his bookes give notice of the same to the Mayor, Sherifes, Bailiffs, or other chiefe officers of the said Citie or Portes, he shall forfeite his office. 1. P. 11.

11. The Custom of the said Haven or Port, or his deputie, with the Mayor or his assigne, or chiefe officer of the place where Cappes or Hattes brought from beyond the Sea shall be laid on land, in the presence of the owners (if they will be present, or else in their absence) shall sell the said Caps, Hattes, and Bonnets to such persons as will buy them (so that they sell not above a dozen to one person) at such prices as is limited (21 Hen. 8. 9.) and not above, and shall deliuer the money to the owners of the same Hattes at such time as they will receiue the same. And if any Custom or Mayor, chiefe officer &c. shall be remisse or negligent to make sale, he shall forfeite xx. li. to the Queene and Informer, to be recovered by action, information, &c. wherein no W. or C. P. &c. 1. P. 11.

12. If any person by fraud, couin, collusion, or colour, doth buy or bargain for any more Hats or Cappes (being made out of the Realme) at one time, or of one man, then one dozen, he shall forfeite for every Cappe or Hatte so bought p. s. to the Queene and Informer, to be recovered by action, information &c. wherein no W. or C. P. &c. 1. P. 11.

13. If any of the Queenes subiects bozne vnder her obeyssance, (except Lordes and Knights) doth buy any Hattes or Cappes made and ready wrought in any part beyond the Sea, he shall forfeite for every such Cap and Hatte p. s. to the Queene and Informer, to be recovered by action, information, &c. wherein no W. or C. P. &c. 3. P. 8. 15.

14. If any Capper, Hatter, or other person doth sell, or put to sale any Hattes or Cappes made within this Realme, without they be sufficiently wrought and of a sufficient colour in euery point after the goodnesse & fineness of the wooll whereof they be made, he shall forfeite for every Hatte or Cappe so sold six shillings eight pence. 3. P. 8. 15.

15. If any Hatter, Capper, or other person by himselfe or any other to his use, will take of any of the Queenes subiects for any Hatte of the best making not ingrained above two shillings, or for any Cappe made of the finest Lemster wooll above iii. s. iiii. d. or for any Cappe made of the seconde sort of Lemster wooll above ii. s. vi. d. or for any Cappe made of the third sort of Lemster wooll above xx. d. or for any Cappe made of the fourth sort of

The customer shall give notice of the hats and capps to the Mayor &c.

The customer & chiefe officer shall sell the hats and capps brought from beyond the Seas.

No man shall buy above xii. hats or capps.

Buying of hattes or capps wrought beyond the Sea.

Capps shall be well wrought and coloured.

The prices of hats and capps.

Lemster wooll aboue xii. b. or for any Cappe made of the finest sort of Cotswold wooll aboue ii. s. or for any Cappe made of the second sort of Cotswold wooll aboue xvi. d. he shall forf. for every Hatte & Cappe, (for which he shall take more) fourtie shillings to the Q. and J. to be reconered by A. J. &c. wherein no W. &c. E. &c. But Cappes and Hattes of other wooll shalbe sold, as the buyer and seller can agree. 3. H. 8. 15.

The markes
of Cappes.

16 The Cappe made of the finest Lemster wooll, shall be marked in the lining with the letter L. the Cappe of the second sort of Lemster wooll with L.R. the Cappe of the finest Cotswold wooll with the letter C. The Cappe of the second sort of Cotswold wooll with C.R. 3. H. 8. 15.

1 That Hattmakers, dwelling in Norwich, may buy middle Vffe yarne to make Hattes with, S. Yarne.

Haukes.

Taking Hauke
or Haukes eggs
out of an o-
thers grounds.

Who so euer doth wrongfully by night or day, take away any Hauke or Haukes, or the eggs of any of them, out of the woods or ground of any person (not hauing lawfull authoritie or licence so to doe) and there- of is lawfully conuicted at the suite of the Q. or J. grieved, shall pay to the partie grieved his treble dammages / suffer imprisonment by the space of thre moneths, and then finde sufficient suretie for his good abearing for the space of seven yeeres after, or else remaine in prison untill he hath found sureties. 5. El. 22. S. Justice of peace. 34.

How ech man
shall use the
Hauke which
he taketh vp.

2 Who so euer findeth a Faulcon, Terecelet, Laner, Laneret, or other Hauke which the owner thereof hath lost, shall immediately bring the same to the Sherife of the Countie, which shall make proclamation in all the good Towne of the Countie, that he hath such a Hauke in his custodie, and if the owner which lost the Hauke, or any of his seruants come to chalenge it, and prooueth it that it is his masters, he shall pay for the costes and haue it. And if none doe come within foure moneths to chalenge it, then the Sherife shall haue the Hauke, agreeing with him that tooke it vp, if he be a simple man, and if he be a Gentleman and of estate to haue a Hauke, then the Sherife shall deliuer him the Hauke, taking reasonable allowance for the keeping thereof. And who so euer taketh a Hauke, and the same concealeth from the owner, or from his Faulconers, or taketh away a Hauke from the owner, or stealeth a Hauke and carrieth it away, not obseruing the foresaid ordinances, and is thereof attained, shalbe vsed as a Felon which hath stolen a Horse, or other thing. 34. Ed. 3. 22. 37. Ed. 3. 19.

Taking the
eggs of Haukes
or Swannes.

3 Who so euer doth take or cause to be taken vpon his owne ground, or any other mans, the eggs of any Faulcon, Goshauke, Laner, or Swanne out of the nest, shall be imprisoned a yeere and a day, and make fine at the Queenes pleasure. 11. H. 7. 17.

The taking,
feating and
killing of
Haukes.

4 Who so euer taketh any Citer, Faulcon, Goshauke, Cassel, Laner, or Laneret, in his warren, woods, or other place, or purposely drieth them out of their couerts accustomed to breede in, or causeth them to goe to other couerts

rouers to breede in, or killeth them for any hurt by them done, shall forfeite tenn pound to the Queene and Informer. 11. H. 7. 17.

5. **W**ho so euer doeth beare any Hauke of the breede of England, called a Hesse, Goshauke, Cassell, Laner, Lanerret, or Faulcon, shall forfeite the same to the Q. 11. H. 7. 17.

The bearing of english haukes

6. **W**ho so euer bringeth any Hesse, Hauke, and Haukes, from any partes beyond the Sea, must bring a certificat vnder the Customers Seale of the Port where he first landed with the same Hauke &c. And he that cometh forth of Scotland, then vnder the Seale of the Warden or Lieutenant of the March which he came through, testifying that the same Haukes be of the partes beyond the Sea, or Scotland, or els he shall forfeite to the Queene the same Haukes. 11. H. 7. 17.

Wingers of haukes from forrein regions shall bring a certificat

1. That eche man may haue Eiries of Haukes, within his owne woods, which be within any Forest. S. Woods. 24.

2. That no person shall hauke where any eared or codded corne shall be standing. S. Fesants 4.

Hauens and Riuer.

1. **I**f any person doth cast or vnloade out of any Ship, Crayer, or other vessel being within any Haven, Rode, Channell, or Riuer, flowing or running to any Port Towne, or to any Citie, Borough, or Towne, within any of the Queenes Dominions, any balast, rubbish, grauell, or other wecke or filch, but onely vpon the land, aboue the full Sea marke, he shall forfeite for euery offence five pound to the Queene and Informer, to be recovered by action, J. &c. wherein no W. &c. E. &c. 34. H. 8. 9.

No rubbish shall be cast into any Haven, Rode, Channell, or Riuer.

2. **W**ho so ener fasteneth to any Dosses, Botes, Ancres, or like things any manner of nets ouerthwart any Riuer, thre to continue, shall forfeit for euery offence v. li. 2. H. 6. 15.

Fastening nets ouer Riuer.

3. **I**t shall not be lawfull to any person or persons whatsoever, to set any nette or nettes with any boate, or boates called a Stall-boate, or other Boate or Vessel whatsoever, within the entrie or mouth of the Haven of Oxford in the Countie of Suffolke, or in the Gull, being a branch of the same Haven, except the maske or shale of euery such net, throughout y whole net, doe containe two ynches and a halfe at the least in widenesse, from knot to knot, vpon paine to forfeite for euery time, that any nette or nettes shall be set or placed in the said Haven or Gull, not being of the maske or shale aforesaid, five pound together with the net or nets so set, or the value thereof to the Queene and J. to be recoued in any Court of Record at Westminster and not elsse where, by A. B. P. or J. wherein no Wager, E. &c. 17. E. 1.

Of what maske euery net, to be set in Oxford Haven shalbe.

Hempe, Flaxe, Herons, Hexam and Hexamshire.

Who so euer doeth water any Hempe or Flaxe in any Riuer, running Water, Streame, Brooke, or other common Pond where beastes be vsed to be watered, but onely on the ground, or pices for the same ordeined

Watering of hempe & flaxe.

8 Hempe, Flaxe, Herons Hexam & Hexamshire.

ordained, or else in his owne feutrell Bondes, shall forfait for every offence xx. s. to the Queene, & partie grieved, or J. s. to be recovered by action, in formation, &c. wherein no *W. C. P. 8. 17.*

Sowing of
Hempe and
Flaxe seedes.

2 Every person inhabiting in any Countie or place within this Realme, having lx. acres of arable land or pasture apt for tillage (in which Countie, or part of Countie, the Queenes Maestie by Proclamation made sithence the Parliament holden in the fifth yere of her Relgie, or hereafter to be made, hath or shall publish it to be commodious for & common wealch, to sowe Flaxe or Hempsede) shall verrelly sowe in seasonable time one whole acre or lesse, as by the saide Proclamation shall be appointed, with Hempsede, or Flaxeede, upon paine of forfeiture of v. li. for every default. *24. P. 8. 4. 5. Cl. 5. 27. Cl. 11. 31. Cl. 10. to continue to the ende of the next Parliament now next ensuing.*

1 What Hempe growing within five miles of Burport shall be sold, and how much Hempe shalbe accounted a stoke. *S. Cables. 1. 3.*

Herons.

Taking or solde
Herons.

If any person without his owne ground, doeth kill, take, or cause to be taken any Herons by meanes of any craft or engin (without it be with Hawking, or long Bow,) he shall forfait for every Heron so taken or killed vi. s. viii. d. to the Q. and J. to be recovered by action of debt, wherein no *W. C. P. 8. 19. P. 7. 11.*

Taking pong
Herons.

2 If any person without his owne ground, doeth take any young Herons out of the nest, without licence of the owner of the ground where the said nest is, he shall forfait for every Heron so taken out of the nest x. s. to the Queene and J. to be recovered by action of debt, wherein no *W. C. P. 8. 19. P. 7. 11.*

Hexam and Hexamshire.

The Territorie, Franchise, and Libertie of Hexam & Hexamshire, with the Liberties of the same, may be, is, and shalbe taken to be within, and part, parcell, and member of the Countie of Northumberland. And as well the pleas of the crowne, as all suites betwixt partie and partie, may proceede and haue their due end and triall within the said Countie of Northumberland, by and befoze the Sheriffe and Coroners of the said Shire, and also befoze the Iustices of Peace, Iustices of Gaole delinerie, Iustices of Assise, Nisi prius, Oper, and Determiner, and other officers, and erbe and euery of them, as the case shall require, and take effectes, as any of the like haue bene, or ought to bee, which haue happened, or shall happen within the saide Countie of Northumberland. And the Sheriffe and other Officers of the Countie of Northumberland for the time being, haue full power and authoritie to execute his or their Office, and all processes to him or them directed within Hexam and Hexamshire, and Liberties of the same, in as ample and large manner, as hee or they may, shoulde, or ought to doe, within any other part of the said Countie of Northumberland, any grant, privilege,

priviledge, custome &c. notwithstanding. Saving to the Bailife of the Liberties, or other Officers of the said Towne of Weymouth and Weymouthshire, of the Liberties thereof, all liberties and priviledges for executing of Proses, returne of Writtes and otherwise, as they or any of them of right ought to have before the making of this acte. 14. El. 13.

High wayes.

Surueyours
for the amend-
ment of
High wayes.

The Constables and Church-wardens of every Parish within this Realme, shall peere upon the Tuesday or Wednesday in Easter weeke, call together a number of the Parochians, and then shall chuse two honest persons of the Parish to be Surueyours for one yeere, of the workes for the amendement of the High wayes in their Parish, leading to any market Towne, the which shall order and direct by their discretions, the persons and cariages appointed for those workes. And if any of the persons so named to be Surueyours, will not take upon him the execution of the said office, he shall forfeite x. s. 2. & 3. P. & P. 8. 29. El. 5.

2 The Constables and Church-wardens shall then also appoint fixe dayes for the amendement of High wayes before the Natiuitie of Saint John Baptist, and shall openly in the Church upon the Sunday after Easter, giue knowledge of the same fixe dayes. And every person hauing a Draught or Plowe, which doth not lend and finde at euery day and place appointed for the amendement of High wayes in that Parish, one Waine or Cart furnished after the custome of the Countrey, with Oxen, Horses, or other Cattell, and other necessaries meete to carie things conuenient for that purpose, and also two able men with the same, for euery Plow land in Tillage or Pasture that he hath, shall forfeite for euery Draught making default x. s. 2. and 3. P. & P. 8. 5. El. 13. 29. El. 5.

Fixe dayes for
the amendement
of wayes.

Each mans
charge for a
Plow land.

3 If any of the cariages of the Parish shall not be thought needefull by the Surueyours to be occupied upon any of the said dayes, then such person as should have sent carriage, shall send for euery carriage so spared, two able men there to labour for that day, upon paine to forfeite for euery man not sent vii. d. 2. & 3. P. & P. 8. 5. El. 13. 29. El. 5.

Two men in
steade of a car-
riage.

4 If any Housholder, Cottiger, or Labourer of the Parish, hauing no Plough, or Draught able to labour, and being no hyed seruant by the yeere, doth not by himselfe, or one sufficient Labourer for him, upon euery of the said fixe dayes, worke in the amendement of the High wayes, he shall forfeite for euery day making default vii. d. which persons and cariages shall bring with them Shouels, Spades, Hattoches, and other Tooles, and doe such worke as they be appointed unto by the Surueyours, by the space of eight houres in euery of the said dayes (except they be otherwile licenced by the same Surueyours or one of them) 2. & 3. P. & P. 8. 29. El. 5.

Cottiger.

Recessing of
Tooles, within
the County.

The Justices of Peace within the Countie of Norfolk, shall and may peere at any generall Sessions to be holden within the said Countie, for & towards the making and amendement of any the Sea bankes, or Sea workes within

Repairing of
Sea bankes &
Sea workes
within the
Countie of
Norfolk.

High wayes

the said Countie of Dorset. (nowe bring, or that hereafter shall be in ruine or decay) limit and appoint so many of the aforesaid day workes, as by their discretions shall be thought superfluous, and not needfull to be imployed towards the amendement of the aforesaid High wayes, within thye miles of the said Sea bankes, or Sea workes, which shall needfullly require any such reparation or amendement. And every person and persons, dwelling within thye miles of the said Sea bankes and Sea workes needfullly to be amended as is aforesaid, shall peereley upon reasonable warning given, during so many dayes as shall be limited and appointed in the said Sessions, in respect of his and their labour and cariages, stand and be in that degree charged and chargeable towards the making, repairing, and amending of the said Sea bankes, or Sea workes, as by the foresaid Statutes of 2. & 3. P. and 5. EL. 13. they stand charged and chargeable for the amendement of any High wayes: And they and every of them for the not doing and performing the same, shall incurre the like paine, penaltie, and forfaiture, as is conteined in the aforesaid statutes, made for the amendement of High wayes, and every of them. And the said Justices likewise, in their aforesaid generall Sessions, shall and may nominate and appoint the high Constables of every Hundred, that shall be charged or chargeable by force of this Acte, towards the making or amending of the said Sea bankes, or Sea workes, to be Surueyours of the saide Sea workes and Sea bankes, and they and every of them shall take upon them the execution of the said charge and office, and duely performe the same, upon such like paine and forfaiture, as by the said statutes or any of them, be imposed upon any Surueyour, or Surueyours, for not taking upon him or them the office of Surueyour for the amendement of the High wayes. And every person and persons, which shall be peereley charged to the making and maintenance of the said bankes or Sea workes, shall be discharged of so many dayes towards the making of the High wayes, as shall be imployed and bestowed towards the making and amending of the said Sea workes, and Sea bankes. All the said penalties and forfaitures to be leuied in maner and forme, as in the said statutes are limited or appointed. 27. EL. 24. to endure for the space of five yeeres, and from thencefoorth unto the end of the Parliament next ensuing the said five yeeres.

5. ¶ It is lawfull for every Surueyour, for the amending of the wayes within the Parish where he is Surueyour, to take and carrie away so much of the rubbish or smallest broken stones which he shall finde ready digged in any Quarry, being within the Parish where hee is Surueyour, as by his discretion shall be adioyned necessarie for the amending of the wayes, without licence, controulement, or impeachment of the owner. And for default of a Quarry not found in the Parish, or of rubbish not found in such Quarry, it is lawfull for every such Surueyour to gather stones upon any landes, or grounds within the Parish, meete to be used to such purpose, and take with

High Constables Surueyours.

Carrying of other mens rubbish.

Carrying of stones.

to digge or cause to be digged for grauell, sand, or sinder for the saide vse, in the seuerall ground of any person, where the same is like to be found within the Parish where he is Suruepour, and nigh adioyning to the way where such reparations shall be thought necessarie (so that it be not in the house, garden, orchard, or meadowe of any person, nor aboute one only pitte in any seuerall and inclosed ground, which pitte shall not be in breadth or length aboute tennne pades ouer at the most,) and if the Suruepour which shall cause such pitte to be digged, doe not within one moneth after such digging cause the same to be stopped vp with earth at the costes of the Parishioners, he shall forfeit to the owner of the soyle where the pit is made, five markes, to be recovered by action of debt. 5. El. 13. 29. El. 5.

Digging for
grauell.

Places not
lawfull to
digge in.

The suruepor
shall stop the
pit againe.

6. ¶ It is lawfull for euery Superuisor in the Parish where he. to turne a watercourse or spring of water being in any High way, & very noysome to the same, into any ditch of the seuerall ground of any person or persons next adioyning to the said High way in such maner, as by the discretion of the said Superuisor shall be thought most meete. 5. El. 13. 29. El. 5.

Turning a
water course
into any mans
ground.

7. ¶ The hayes, fences, dikes, or hedges, next adioyning on either side to any High way, shall from time to time be diked, showed, repaired, and kept lowe, and all trees and bushes, growing in the High wayes cut downe by the owners, whereby the saide wayes may be open, and people may haue moze ready and easie passage, vpon paine that euery person committing any offence to the contrary, shall forfeit for euery default 1. s. 5. El. 13. 18. El. 9.

Fences and
ditches neere
vnto high
wayes.

8. ¶ The Suruepour which doth not within one moneth next after any offence committed by any person, contrary to the purpose and meaning of any article aforesaid, present euery such offence to the next Justice of Peace, shall forfeit for euery such offence not presented fourtie shillings. And if the same Justice of Peace doe not certifie the same presentment at the next generall Sessions within the same Countie, he shall forfeit five pound. 5. Eliz. 13. 29. El. 5.

Presentment
of the offences.

9. ¶ If the Bailife or high Constable of any Hundred, Rape, Lath, or Wapentake, to whom the Steward of any Leete or Lawday, or in default thereof, the Clerke of peace shall make and deliuer the estretes indented of all fines, forfeitures, and amercements presented befoze him or them, cannot finde any sufficient distress of any persons offending contrary to the purueies of any article aforesaid, or if the said offendour shall obstinately refuse to pay the said amercement, fine, or forfeiture, and doeth not pay the same within twentie dayes after lawfull demaund of the same by the said officer, then he shall forfeit double the summe that he should haue paid. 2. & 3. Id. & Id. 8. 5. El. 13. 29. El. 5. S. Leetes, 13. Justice of peace, 69.

Refusing to
pay the fine
or forfeiture.

10. ¶ If the Bailife, or head Constable doe not once euery yeere betwixt the first day of March and the last day of April, make a true accompt, & payment of all such summes of money (to the Constables and Church-wardens of euery Parish, wherein the offence was committed, or to two of them)

Constables
accompt.

High wayes. m^{ph}

The head Constable called to accompt.

Church-wardens accompt.

The charge of each person dwelling in goods of p^l. s. in land.

Hauing a plough land in severall Parishes.

More than hauing several plough lands in severall Parishes.

Ditching and scouring.

which he shall haue collected vpon any of the foresaid estretes, he shall for. for every time not so doing p^l. s. 2. and 3. p. and p. 8. 5. Cl. 13. 29. Cl. 5.

11 ¶ The Churchwardens of every Parish may call the Bailife and head Constable to accompt before the Iustices of peace, or two of them, whereof one to be of the Quorum, by bill, information, or otherwise, which Iustices haue authoritie to take the accompt, and to commit the said Bailife or head Constable to prison, vntill he shall pay all such arrearages as shall be adiudged by the said Iustices, and the fines, forfeitures, and amercements due for any offence, contrarie to the purport of this statute, shall be to the Church-wardens, to be bestowed about the repaire of the wayes of the said Parish. But the Bailife and head Constable vpon his accompts shall haue allowed for every pound he shall collect and pay viii. d. for his owne paines, and xii. d. for the fees of the Clerke of the Peace, or Steward of the Leete, and for the estretes indented of every seuerall Parish that he shall deliuer, And the successours of Church-wardens shall haue the like action of Accompt against their predecessours, as is before appointed against the Bailifes. 2. p. 3. p. 8. 5. Cl. 13. 29. Cl. 5.

12 ¶ Every person (except such as shall dwell in the Citie of London,) that shalbe assessed to the payement of any Subsidie to the Queenes Maiestie to v. li. in goods, or p^l. s. in landes or aboue, during all such time as he shall stand so assessed and not altered, and being none of the parties chargeable for the amendement of High wayes, by any former lawe, but as a Cottager, shall finde two able men pecerly to labour in the High wayes, at such dayes and times, as are before limited and appointed. 18. Cl. 9.

13 ¶ Every other person that shall occupie a plough land in tillage or pasture, lying in seuerall Parishes, shall be chargeable to the making of the wayes within the Parish where he dwelleth, as farre forth and in such manner, as any person hauing a plough land in any one Parish is, or ought to be chargeable by reason of the said former statutes, or either of them. 18. Cl. 9.

14 ¶ Every person keeping in his handes seuerall plough landes in seuerall Townes, shalbe charged to finde in ech Towne or parish (where the said plough lands do lie) one cart, waine, tumbrel, dungport or court, sledges, carres or dragges, furnished for the repairing of High wayes, within the seuerall Parishes where the said plough lands doe lie, in such maner as if he were a Parishioner dwelling within the Parishes where the same seuerall plough landes doe lie. 18. Cl. 9.

15 ¶ Every person that shall occupie any lands adioyning to any High way, where any ditching or scouring ought to be, shall from time to time as neede shall require, ditch and scoure in his ground so adioyning, whereby the water conuected from the saide High way over the ground next adioyning, may haue passage over the saide ground so next adioyning to that ground, vpon paine of forfeiture for every time so offending for every Rod not so ditched and scoured xii. d. 18. Cl. 9.

Art 6. No person having any ground by Lease or otherwise, adjoyning to any High way leading to any Market Towne. shall cast or scoure any ditch and lay the soyle thereof into the high way, and suffer it to lie there by the space of sixe moneths, to the annoyauce of the sayd high way, upon paine of forf. for every lode of soyle so cast &c. xii. d. And where any soyle hath bene so cast into the high way that there is a banke betweene the said way and the ditch, it is lawfull to the Surueyors and workemen to make sluices or other deuises by their discretions, to conuey the water out of the sayd way into the ditch, any lawe or vsage &c. not withstanding. 18. El. 9.

Casting of soyle
into the way.

Sluices to con-
uey the water
into a ditch.

Art 17. Every penallicie forfeited for any cause within this statute, shall be leuied in euery Parish by the Surueyors of the wayes within that Parish by distress and sale of distress, in maner as fines and amercements in Lectes haue bene vled. And the money so leuied shall be imploied vpon the high way where the offence was committed. And if the Surueyors shall not, or wil not leuie and imploy the same within one yeere after the offence so committed, then y^e said forf. shall be leuied in forme aforesaid, by y^e Constables or Churchwardens of the Towne or Parish where the worke ought to be done in the high way. And he or they so leuying any of the said penallicies or forfeitures, shall make such accompt as is appointed in y^e before recited Statutes. 18. El. 9.

How the pe-
nallicies shall be
leuied.

18. The high wayes leading from one Market Towne to another, shall be enlarged there where any wood, hedges, or ditches be, so that there shall be no ditch, wood, or bush, where he that doeth lewdly may escape, within 40. foote of the high way, on the one side, and 40. foote on the other (but this stat. extendeth not to Allys or great trees.) And if any robberies be done by default of breaking downe ditches, vnderwood and bushes, the Lord shall answer therfore, & if it be a murder, the Lord shall be punished at y^e Queenes pleasure: and if the Lord be not able to cut downe the vnderwood, the Countrey shall helpe him. And within the Queenes demaine woods within Forests and without, the wayes shall be enlarged as before &c. And if any Marke be neere vnto the high way, the Lord thereof shall diminish it by the space of two hundred foot from the high way, or els make such a wall, ditch, or hedge, that Offenders cannot goe for ward or backward to doe any hurt. Winchester. 13. Ed. 1. 5.

The wayes
shall be 40.
foote broad.

1 For the repaying of high wayes at the endes of Bridges. See Bridges. 7.

2 That Iustices of Peace may inquire of, or present high wayes not repayed, and punish the offenders. S. Iustice of Iustice. 69.

Homage and Feallic.

NO person shall pay in the Queenes Exchequer, or any other Courts for the respite of Homage, of, or for any Manors, lands, tenements, or hereditaments, whereof the cleere perchyalue exceedeth not v. li. about viii. d. and for the entring thereof & warrant of Atturney, about iii. d. 33. H. 8. 22.

Respite of ho-
mage.

2 When

The forme of
a free mans
Homage.

2 ¶ When a free man shall doe Homage to his Lord of whom he holdeth in fee, he shall holde his hands together betweene the hands of his Lord, and shall say thus, I become your man from this time forward, for life, for member, and for worldly honor, and shall owe you my faith, for the lands that I holde of you, saving the faith that I doe owe to our Soueraigne Lady the Queene, and to mine other Lords. 17. Ed. 2.

A free mans
Fealtie.

3 ¶ When a free man shall doe Fealtie to his Lord, he shall holde his right hand vpon a booke, and shall say thus, Heare you my Lord R. that I. D. shall be to you both faithfull and true, and shall owe my fidelitie vnto you, for the land that I holde of you, and lawfully shall doe such customes & seruices as my duetie is to you at the termes assigned, so helpe me God &c. 17. Ed. 2.

A villaines
Fealtie.

4 ¶ When a villaine shall doe Fealtie to his Lord, he shall holde his right hand vpon y^e booke, and say thus, Heare you my Lord A. that I. B. from this time forth vnto you shall be true, and faithfull, and shall owe you Fealtie, for the land that I holde of you in villenage, and shall be iustified by you in body and goods, so helpe me God, &c. 17. Ed. 2.

The Lord shall
not haue
wardship, vn-
till he hath ta-
ken Homage.

5 ¶ If the heire of any which holdeth his lands of his Lord by Knights seruice, be within age, his Lord shall not haue the warde of him, nor of his land, before he hath taken of him Homage. Magna Charta. 9. p. 3.3.

Honie.

Vessels of hon-
ny marked w
two letters.

¶ All Barrells, Kilderkins, and Firkins filled with Honey by the maker and filler, shall be marked with ii. letters standing for his name and surname, eche letter of an ynche and a halfe of length at the least, burne vpon the head of the Caske with a horte yron, vpon the paine to forf. vi. s. viii. d. for euery barrell, kilderkin, firkin, or caske, solde or offered to be solde, and not so marked. And if any person or persons doe or shall fill or sell, and cause to be filled or solde, or offered to be solde any Barrell, Kilderkin or Firkin with Honie, for, or in the name of a Barrell, Kilderkin or Firkin, containing lesse then xxxii. wine Gallons the Barrell, xvi. wine gallons the kilderkin, and viii. wine gallons the firkin, Euery person and persons so offending, shall forf. for euery halfe gallon so lacking v.s. And euery person and persons, that shall corrupt the Honie so solde, or to bee solde, with any deceitfull mixture, shall forf. the barrell or vessell, and honie therein contained to the Q. and Informer. 23. El. 8.

The content
of euery vessell
of honny to be
solde.
S. Wines, 16.

Corrupting
of honny.

Counterfei-
ring of marks
or marking
with anothers
marke.

2 ¶ If any person or persons, shall at any time hereafter counterfeit any the markes aboue mentioned, or shall let to the marke, or markes of any other person or persons, without the consent of the same person or persons, whose names the sayd markes shall signifie: euery such offender in the premises, shall forf. for euery such default v. li. the one moitie to the Queene &c. and the other to the party deceiued, if he will sue for the same, or otherwise to any other person or persons, that shall sue for the same by A. B. or J. in any of the Queenes Courts of Record, wherein no E. D. or W. shall be admitted &c. And for non sufficiency of payment thereof, to be let on the Pillorie, in the

next

next Market Towne to the place where such offence shalbe committed, and suffer three moneths imprisonment, without baile or mainprise, for euery offence committed contrary to this article of this present Act. 23. El. 8.

Hornes and Horners.

The Wardens of the mysterie of Horners in London, may search all manner of ware belonging to their mysterie wrough within London, or within xiiii. miles thereof. And also they may search Sturbridge and Ely Faire, and if by their search they find any ware in any of the foresayd places defectiue and insufficient, in whose hands soeuer it be, to sell, they may take the same ware, and bring it before the Maior of London, or y^e Maior or Bailiues of the said Faies, and the same being there proued defectiue, shalbe forfeited to the Queene and the said Wardens. 4. Ed. 4. 8.

2 If any Stranger by himselfe, or any other doeth buy any English Hornes, unwrought, gathered, or growing within London, or xiiii. miles thereof on euery side next adioyning, or if any Englishman, or other person doeth sell any English Hornes unwrought to any Stranger, or cause them to be sent ouer the Sea, so that y^e Horners of London will buy the said Hornes at like prices (as they were at when this statute was made) he shal forfeit all the Hornes so bought, solde, or sent ouer, to the Queene and the Wardens of the Horners. But after men of the occupation of Horners within this Realme, haue chosen out such and as many Hornes, as shalbe needefull to their occupation: Then it shall be lawfull to euery person to sell and deliuer all the Hornes refused, which be not able to be occupied in their mysterie, to any Stranger, or other person to carry beyond the Sea, or els where. 4. Ed. 4. 8.

Horses, Mares.

Euery person as well Spirituall as Tempozall, hauing any Parke or ground inclosed with hedge, ditch, wall, or pale, in his owne hand, where in any Deare is vsually kept for Game, containing the quantitie of one mile in compasse, and is thereof seised in fee simple, fee talle, or for terme of life, in possession to his owne behoofe. And euery Farmer of euery such Parke and ground, being letten to farme, shall keepe for euery such Parke or ground inclosed, so long as the same shall be used or kept with Deare in the same for Game; two Hares being not splayed, apt and able to beare Foles, eche of them of the heighe of thirteene handfuls at the least, to be measured from the lowest part of the hooft of the foote, unto the highest part of the shoulder, and euery handfull to containe foure ynches of the stauerd. And euery owner, &c. or Farmer of a Parke which is foure miles in compasse or aboue, shall keepe foure such Hares &c. vpon paine of forfeiture of xli. s. for euery moneth lacking the said Hares, to the D. & T. to be recovered by A. T. wherein no W. &c. E. P. &c. But if any of the sayd Hares shal die by casualtie, and the owner doe prouide another of the foresaid heighe within

The Horners of London may search all hornes within xiiii. miles thereof.

The Horners of London haue y^e choice of English Hornes.

After London Horners deserued, Strangers may buy some.

Owners and farmers of Parkes, charged to keepe Hares.

Horfes and Mares.

within thye moneths next after the death thereof, he shall not incurre the penaltie of this statute. This statute shall not charge the owners of any Parks or grounds inclosed lying in Westmerland, Cumberland, Northumberland, or the Bishoppicke of Durham, to keepe any Mares, Neither shall it charge any other person, the herbage of whose Parke &c. is common to the inhabitants of the Townes next adioyning. 27. H. 8. 6.

Mares shall not be covered with Ciro.

2 ¶ If any Lord, owner or farmer of any Parke or ground inclosed, appointed by this Act to keepe Mares, will willingly suffer any Mare to be covered with any litle Horse, or Ragge of small stature or value, hee shall forfeit .xl.s. to the Queene and J. to be recovered by A. J. &c. wherein no C. &c. E. P. &c. 27. H. 8. 6.

The height of horses feeding upon the common in certain Shires.

3 ¶ Whosoever doeth put to pasture, into, or vpon any Forrest, Chase, Poore, Parish, Heath, common or waste ground, any stoned Horse, being above the age of two yeeres, and not being of the height of xv. handfuls, to be measured from the lowest part of the hooft of the forefoote, vnto the highest part of the withers, (and euery handfull to containe foure piches of the Standard) to pasture, serue, or be in, or vpon any of the sayd Forrests, Chases, Commons, &c. within any of the Shires and Territories of Norfolk, Suff. Cambridge, Buck. Hunt. Essex, Kent, Southamshire, Northwiltshire, Dorset, Bark, Worcester, Gloucester, Somerset, Northwales, Southwales, Bedford, Warwick, Northampton, Northwiltshire, Cheshire, Stafford, the Countie of the Citie of Yorke, the Towne and Liberties of Glouc. the Countie of the Towne of Kingstone vpon Hull, the Countie Palantine of Lancaster, the Countie of Salop, Lecester, Hereford, Lincolne (except it be vpon any of the Parish, or Seggie Fennie grounds within the Counties of Cambridge, Huntington, Northampton, Lincolne, North. Suff. or within the Isle of Elie) shall forfeit the sayd Horse. And whosoever doeth put to pasture vpon any of the foresayd Parkes, or Seggie Fennie grounds in the sayd last excepted Shires or places, any stoned Horse above the age of two yeeres, not being of thirtene handfuls high, to be measured in foyme aforesayd, shall forfeit the sayd Horse. 8. El. 8. 33. H. 8. 11.

The height of Horses feeding vpon the common in all other Shires.

4 ¶ Whosoever doeth put to pasture any stoned Horse above the age of two yeeres, not being xiii. handfuls high, to be measured in foyme aforesayd, vpon any Forrest, Chase, Common &c. being within any other Shire of this Realme, then is first before specified, shall forfeit the same Horse. But no person shall be prejudiced by this statute for the hauing or putting any Horse to feeding vnder the heighthes aforesayd, vpon any common or waste ground where Mares or Fillies are not vsed or suffered to be kept. Nor for any stoned Horse of his which shall once in a yere escape or breake out of his seuerall ground against his wil, into any Forrest, Chase, Common &c. so that the said Horse doth not remaine there foure dayes next after sufficient and open notice giuen at his house, or publication made on a Sunday, or Festival day in the Parish Church where he dwelleth. 32. H. 8. 13.

Horses breaking forth, or put where no Mares be.

5 ¶ Whosoever

5 **¶** Whosoever findeth any Horse in any Forest, Chase, Common, Pooze, Parish, Heath, or waste ground, contrary to this statute, shall goe unto the keeper of the Forest, Chase, &c. or his Deputie, or to the Constable, Bailiffe, Headborough, Burtholder, or Tithingman of any Towne next adjoining unto the place where the sayd Horse is, and commaund or require him in the Queenes behalfe, to goe with him to bring such Horse there according to the next pound, and there the Horse shall be measured by the Officer, in the presence of three other honest men by the sayd Officer appointed, and if it be found that the sayd Horse is contrary to this statute, then he that doeth so challenge and seile him, may take and retaine him to his owne use, as his owne goods and cattels for ever, without veration, suit, or trouble of the owner. 32.H.8.13.

Seisure and measuring of a Horse not of a lawfull height.

6 **¶** If any of the sayd keepers, Deputies, Bailiffes, Constables, Burtholders, or Tithingmen, or three persons requested to be at the measuring of the sayd Horse, doe refuse to doe as aforesaid, or doe not truly measure such Horse, then every of them refusing to doe, or not doing his duetie therein, shall forfeit .xl.s. to the Q. and J. to be recovered by A. J. &c. wherein no W. &c. C. D. &c. 32.H.8.13.

Refusing to measure a Horse not of lawfull height.

7 **¶** If the Lords, owners, or possessors of Forest, and Chases, or their Officers, or the Constables, Headboroughs, Bayliffes, Burtholders, and Tithingmen, within whose Offices, precincts, and limits, the Commons, Poozes, Parishes, Heaths, and waste grounds being out of Forests and Chases, doe lie, doe not yearly at the feast of Saint Michael the Archangel, or within xv. dayes after, effectually drive the sayd Forests, Chases, Commons, Poozes &c. the said Officers &c. Bailiffes, Constables, Headboroughs &c. shall forfeit for every time the said drift shall be omitted .xl.s. And it is lawfull for the said Lords, owners, &c. and for the sayd Constables, Bayliffes &c. within the limits of their Offices, to make like drift of y^e said Forests, Chases, Commons, Poozes, Parishes, Heaths, and waste grounds at any other time of the yere, when, and as often as they shall thinke meete. 32.H.8.13.

Drifts of Forests, commons, heaths.

8 **¶** If in any of the said drifts there shall be found any Mare, Filly, Fole, or Gelding that shall be thought not able, or like to growe able to beare Foles of a reasonable stature, or not able, or like to growe able to doe profitable labours, by the discretion of the drivers or the more number of them, then the same drivers shall cause the same beasts to be killed, and the bodies to be bestowed where no annoyance shall growe. 32.H.8.13.

Unlikely Cattle shall be killed.

9 **¶** Whosoever shall have, or put to pasture any Horse, Gelding, or mare, infected with scab, or mange, into, or upon any Forests, Chases, Poozes, Parishes, Heaths, Commons, waste grounds, or common fieldes, shall forfeit for every Horse, Gelding or Mare so infected .xl.s. to the Lord of the Leete, where the offence shall be presented. 32.H.8.13.

Infected horses.

10 **¶** Every Archbishop and Duke of this Realme, shall have, keepe, and mainteine of their owne proper Horses, and at their owne costes, seven stoned or living.

Keeping of horses by reason of degree stoned or living.

Horses and Mares.

stoned trotting Horses for the Saddle, (being neither Cart nor Sumpter Horses) every of the same Horses to be three yeere olde and upward, and in height xiii. handfulls (reckoning to every handfull foure ynches of the standerd) to be measured from the nether part of the haire of the hooft unto the upper part of the wydersons or shoulders. Every Marques and Earle, and every Bpshopp whole Bpshoppick is of the peerely value of a thousand pound or above, shall finde and mainteine five stoned trotting horses for the Saddle, of the age and height aforesayd &c. Every Bpshopp whole Bpshoppicke is of the peerely value of a thousand Markes or above, and every Vicount and Baron having lands, tenements, fees, annuities, or offices, for terme of his life to the cleere peerely value of a thousand markes or about, shall finde and mainteine three stoned trotting horses &c. And every other Bpshopp, Vicount, and Baron not before mentioned, and also every other Spirituall person having Benefices or promotions to the peerely value of 500. markes, and every Temporal person having lands, tenements, fees, annuities, or offices for terme of life, in his owne right, or in his wives to the peerely value of 600. markes, shall keepe and mainteine two stoned trotting horses for the Saddle, vpon paine that every person aforesayd lacking the number of the sayd Horses to him limited, shall forfait for every Horse so lacking by the space of thre moneths x. li. to the Q. & A. to be recovered by A. J. &c. wherein no W. &c. E. D. &c. 33. H. 8. 5.

Keeping of
Horse by reason
of his wives
apparell.

21. Every other Spirituall person under the degree of a Bpshopp, having Benefices or promotions to the cleere peerely value of one hundred pounds or above, and not to the peerely value of five hundred markes, and every other person Temporal not before mentioned, whose wife (being not divorced, nor willingly absenting her selfe from him) doeth weare any Gowne or Peticote of Silke, or any Veluet in her Kirtell, or in the lining or other part of her gowne (other then in the cuffs or pursles), or any French hood, or Bonet of Veluet with any habiliment, passe, or edge of gold, pearle, or stone, or any Chaîne of golde about her necke, or in her Partlet, or in any apparell of her body, shall haue, keepe and mainteine as is aforesayd, one stoned trotting Horse for the Saddle, vpon paine of forfeiture for every time that any of them shall want by the space of thre moneths one stoned trotting Horse of the age and height aforesayd x. li. to the Q. & A. to be recovered by A. J. &c. wherein no W. &c. But heires within age being Wardes, whose lands, tenements, and hereditaments amount to the peerely value of C. li. shall not be compelled by this Act, vntill they come to their full age, to keepe any Horses, although their wives weare any Gowne of Silke, or any French hood, or Bonet of Veluet with any habiliment, passe, or edge of Golde, Pearle, or Stone, or any Chaîne of Gold about their necks in their Partlets, or in any apparell of their bodie. 33. H. 8. 5. And every person chargeable by this Stat. by reason of his wives apparel to keepe a stoned trotting Horse, shall also keepe and mainteine one Gelding able and meete for a

Lighe

Eight horseman, with sufficient harness and weapon for the same, in such manner, as he that may dispense one hundred marks by the year, is chargeable to keepe. 4. and 5. H. 8. H. 2. S. Armour. 2.

12. ¶ If the sonne and heire apparant of any Duke, Marques, Earle, Viscount, or Baron, or of any other person hauing lands &c. to the yeerely value of five hundred marks or aboue, hath lands, tenements, hereditaments, fees, offices or annuities, for terme of life in his owne right, or his wiues, to the cleere yeerely value of five C. marks, then he shall keepe and mainteine one trotting stoued Horse for the Saddle in forme aforesaid, vpon paine of for. of twentie pound for euery three moneths that he shall want the same Horse. But no such sonne and heire is compellable by force of this Act, to finde or keepe any Horse in the life of his father, except he hath lands, tenements, annuities, fees, or offices, to the sayd yeerely value of five hundred marks. But no person shall be impeached or troubled for any offence done contrary to this Act by A. J. P. or Certificat of the Sherife, vntilse the same be made within one year next after the offence committed. 32. H. 8. 5.

The sonne and heire of a Noble man.

Within what time the offender shall be impeached.

If the horse be killed in the Queenes seruice.

Transporting of horses into forreine Kingdoms.

13. ¶ If any of the foresayd Horses happen to be killed, maimed, or lost in the Queenes seruice, then the owner is at liberty at any time by the space of two yeeres next after such chance, to prouide other in their steade, without any penaltie. 33. H. 8. 5.

14. ¶ If any person doe sell, exchange, giue, conuey, or deliuer into the Realme of Scotland, to the vse of any Scottish man, or into any place beyond the Sea, out of this Realme or the Dominions of the same, any Horse, Gelding, or Mare, without speciall license therfore obtained of the Queene, or of her heires, vnder the Great Seale, or Priuie Signet, or if any person doe sell, exchange, giue or deliuer to any Scottish man within this Realme of England, or Wales, the Towne of Berwicke or the Marches of the same, to the intent to be conueyed into Scotland, any Horse, Gelding or Mare, or doe conuey or carry any Horse, Gelding or Mare, into any forreine partes beyond the Sea, without like speciall license obtained of the Queene or of her heires, vnder the Great Seale, or Priuie Signet, then the same person shall forfait to our Soueraigne Lady and her heires the same Horse, Gelding, or Mare, so carried or conueied, and shall also lose xl. li. for euery such Horse, Gelding, or Mare so conueyed, to the Queene and Inheritor, to be recouered by A. J. &c. wherein no W. &c. C. P. &c. And also euery person so offending, shall suffer imprisonment by the space of one whole year. And it shall be lawfull to euery person being the Queenes Subject, to arrest and imprison euery Scottish man, and euery other person, which shall leade or conuey contrary to the meaning of this Act, any such Horse, Gelding, or Mare, out of this Realme, into Scotland, or into any other forreine place beyond the Sea, other then such persons as shall haue sufficient warrant from the Queene, or other her heires, vnder her, or their great Scale

Horfes and Mares.

Seale of Privie Signet. But this Act shal not extend to any person which shall conuey any Horse, Mare or Gelding into Scotland, or into forreine parties beyond the Sea to serue the Queene in her warres with the same. 1. Ed. 5. 5. Eliz. 19. See Felonie. 1. that it is Felonie to sell, exchange, or deliuer within Scotland, or the Batable ground betwene England and Scotland, to the vse of any Scottish man, any Horse, Mare, or Gelding, or to sell, exchange, or deliuer in Englande, Wales, Berwicke, or the Marches of the same, or in the sayde Batable ground, to the intent to be conueyed into Scotlande any Horse, Mare, or Gelding without the Queenes license vnder her Great Seale. And in like sort it is Felonie to buy the same.

Licenses to
transport hor-
ses, & licenses
to giue license.

15 **¶** But if the Queene, her heires or successors, vnder her great Seale or Privie Signet, doe giue license to any person, to cary any Horses, Mares or Geldings into Scotland, or into any other parties beyond the Sea, or els doe giue authoritie or commaundement to any person or persons by Warrant vnder the Great Seale, to license any other person or persons to cary or conuey any Horses, Mares, or Geldings into Scotland, or into any parties beyond the Sea, then it shall be lawfull aswell to all persons hauing such license vnder the Queenes Great Seale or Privie Signet, as to euery other person hauing license in writing vnder the Seale of such person or persons to whome the Queene shall giue authoritie or commaundement in forme abouesayd, to license other to cary or conuey such number of Horses, Geldings, or Mares, or any of them into Scotland, or into any of the partes beyond the Sea, as shall be mentioned in any such licenses. 1. Ed. 6. 5. 5. Eliz. 19.

Licence shewd
to the Wardens
of the
Marches.

16 **¶** Euery such person which shalbe licensed according to this Act to cary or conuey any Horses, Mares or Geldings, into Scotland, shall be fore the same carriage or conueyance, vpon the paine of forf. of the said Horse &c. or the double value thereof to the Queene and J. &c. heve his said license to one of the three Wardens of the three Marches of England, to the intent that one of the said Wardens shall cause the number of the sayd Horses &c. so licensed to be conueyed into Scotland, not onely to be Ralendryed in a booke, to remaine in his owne custody, But also to be indorsed and written on the backside of the sayd license, and the same indorsement to be Signed with the hand of the sayd Warden. 1. Ed. 6. 5. 5. Eliz. 19.

Warden of the
five Horses.

17 **¶** But this Act shal not be preiudiciall to the Master of the Queenes Horses for such things and commodities as shall concerne his Office. And notwithstanding this Act, The Warden of the five Horses may peccitly at his pleasure giue five Horses or Geldings (and no more within one yere, at one or diuers times vpon like paine as is aforesaid) to any person or persons in the parties beyond the Seas, being in amitie with the Queene, or her successors. And it shall be lawfull to any of the Queenes Subjects, to cary or send into any parties beyond the Sea any Mares, whereof the price of any one

spares of &c.
price may be
transported.

one shal so to be carried with not exceede x. s. in such maner as shal be-
ing of the prices of w. s. h. i. d. bene or might haue bene conueyed ouer the
seas before the making of this Act (vz. per Stat. 11. Henrici septimi. 13. Jany
thing in this Act, or any other Act to the contrary notwithstanding. 1. Ed. 6. 5. 5. Cl. 19.

1 How many great horses and geldings eche man is chargeable to
keepe by reason of his lands or goods. S. Armour. 1.

2 Concerning selling of horses, appoynting a place, and paying tolle
for them in a faire or market. S. Faies. 4. 5. 6.

3 That the Sherifes shall enquire and certifie the faults of those which
doe want stoned trotting horses. S. Sherifes. 25.

4 That neither the horse stealer, nor the accessorie before or after, shal
haue his Clergie. S. Clergie. 13.

Hospitallers.

The Bishoppe of euery Dioces or his Chauncellour for the time being,
shall yeerely visite all Hospitallers in the dioces of such Bishop where
no visiton by the founder is appoynted, if the founder of the sayd Hospitall be
then dead, and take order that the said Hospitalls bee ordered and vied accor-
ding to the statutes and ordinaunces of the foundation therof. And if the found-
er be then liuing, the said founder to visite the same during his life without
any the Bishops visitation, and the same visitation to be at the onely collect
of the bishops and not of the Hospitall. And it shall bee lawfull to the Bi-
shoppe or his Chauncellour, vpon complaint, or other intelligence of
just cause, to take accompt how the rentes, reuenues, and profites of any
such Hospitall haue bene bestowed, to call before him or them at the sayde
Hospitall to accompt all such persons as haue had the collection or receipt
of any the sayde rentes, issues, reuenues or profites. And if any person so
called shall refuse to accompt, or entering into accompt, shall refuse to pro-
ceede and finish the same, or vpon the finishing thereof, shall refuse forthwith to
answere to the vse of the said hospitall, such summe of money, as vpon the
same accompt shall appeare to be due by him: then bee refusing shall forfeite
such summe of money as to the said Bishoppe or Chauncellour, and to two
Iustices of the peace next inhabiting to the said Hospitall shall be thought
meete, to which accomptes the said Bishoppe or Chauncellour, shall call the
same two Iustices of peace. 1. H. 5. 1. 14. Cl. 3. 5. 18. Cl. 3. 20. continuing
from 15. Partii. Anna. 1575. vntill the end of vii. yeeres then next ensuing,
and from thence vntill the end of the next Parliament.

Huy and crie.

Imediately after any felonies and robberies bee committed, fresh suite
shall be made from towne to towne, and from countrey to countrey: And
enquestes shall be taken (if neede bee) by him that is a iuror Lord of the
towne, and after in Hundreds, Feanchise and in the countie, and sometime
in ii. iii. or iiii. counties in case where felonies be committed in the Partches
of Shires, so that offenders may be attained and suffer punishment. And if

U. i.

the

Fresh suite.

the countrey will not answer for the bodies of such offenders, the people dwelling in every such countrey shall answer for the robberies done, and the damages, so that the whole hundred, where the robbery shalbe done, with the franchises which be within the same hundreds, shal answer for the robberies done. And if the robbery bee done in the division of two hundreds, then both the hundreds, together with the franchises within the precinct of them, shall answer. And the countrey shall have no longer time after the robbery and felony committed but xl. dayes. (28. Ed. 3. 11.) within the which they must agree for the robbery and offence, or els they shalbe answerable for the bodies of the offenders. Winchester. 13. Ed. 1. 1. 2.

The countrey shall answer, if the robbers be not taken within fourty dayes.

The Inhabitants of a hundred where fresh suite shall cease, chargeable with halfe the damages recovered for a robbery.

The Clerke of the peace shall prosecute the suite.

2. The Inhabitants and Reliantes of every of any such hundred, (with the franchises within the precinct thereof) wherem negligence, fault, or defect of pursue and fresh suite after buy and crye made, shall happen to be, shall answer and satisfie the one moitie or halfe, of all and every such summe and summes of money and damages, as shall by force and vertue of the sayde Statutes (viz. of 13. Ed. 1. and 28. Ed. 3.) or either of them, be recovered or had against or of the said hundred, with the franchises therein, in which any robbery or felonye shall at any time hereafter be committed or done: And the same moitie shal and may be recovered by Action of debt, bill, plaint, or Information, in any of the Queenes courts of record at Westm. by and in the name of the Clerke of the peace for the time being, of, or in every such county within this realme, where any such robbery and recoverie by the partie or parties robbed, shall be, without naming the Christian name or surname of the said Clerke of the peace. Which moitie so recovered, shalbe to the onely use and behoofe of the Inhabitants of the said hundred where any such robbery or felonye shall be committed or done. 27. El. 13.

The Clerke of the peace commencing a suite both die or is removed.

3. If any Clerke of the peace, of, or in any Countie within this Realme, shall at any time hereafter commence or preferre any such suite, Action or Information, and shall after the same so sued, commenced or preferred, happen to die, or to bee removed out of his office, before recovery and execution had, yet no such Action, Suite, Bill, Plaint, or Information, sued, commenced, or preferred, shall by such displacing, or death, bee abated, discontinued or ended. But it shall and may bee lawfull to and for the Clerke of the peace next succeeding in the sayde Countie, to prosecute, pursue and followe all and every such Action, Bill, Plaint, Suite, and Information for the causes aforesaide, so hanging and depending, in such manner and forme and to all intents and purposes, as that Clarke of peace might have done, which first commenced or preferred the said Suite, Bill, Plaint, or Information. 27. El. 13.

A remedie for those against whom recovery and execution is had to have contribution of the residue of the hundred.

4. And although the whole hundred, where such Robberies and felonies are committed with the Liberties, within the precinct thereof are by the said two former Statutes charged with the answering to the partie robbed, his damages: yet notwithstanding the Recovery and execution, by and for the

the partie or parties robbed, to had against one or a very few persons of the sayde inhabitants, and hee, and they so charged, haue not heretofore by law, had any meane or way, to haue any Contribution, of, or from the residue of the sayde hundred, where the sayde Robberie is committed, to the great impoverishment of them, against whom such recouerie or execution is had. For remedie whereof, Be it enacted, that after execution of Damminges by the partie or parties so robbed, had, he shall and may bee lawfull (upon complaints made by the partie or parties so charged) to and for two Iustices of the Peace, (whereof one to bee of the Quorum) of the same Countie, inhabiting within the sayde hundred, or neere vnto the same, where any such execution shall be had, to assesse and take ratably and proportionably, according to their discretions, all and euery the Townes, Parishes, Villages, and Hamlets, as well of the sayde Hundred where any such Robberie shall bee committed, as of the Liberties within the sayde Hundred, to and towards an equall contribution to be had and made, for the reliefe of the sayde inhabitant or inhabitants, against whom the partie or parties robbed before that time, had his or their execution. And that after such Taxation made, the Constables, Constable, headboroughs, or headborough of euery such Towne, parish, Village and hamlet, shall by vertue of this present act, haue full power and authoritie within their seuerall limites, ratably and proportionably, to take and assesse according to their abilities, euery inhabitant and dweller in euery such Towne, Parish, Village, and Hamlet, for and towards the payment of such taxation, and assessement, as shall be so made upon euery such Towne, Parish, Village and Hamlet, as aforesayde by the sayde Iustices. And if any Inhabitant of any such Towne, Parish, Village, or Hamlet, shall obstinately refuse and denie to pay the said Taxation and assessement so by the said Constables, Constable, headboroughs, or headborough taxed and assessed, then it shall and may be lawfull to and for the sayde Constables and headboroughs, and euery of them within their seuerall limites and Iurisdictions, to distreine all and euery person and persons so refusing and denying, by his and their goods and chattels, and the same distreine to sell, and the money thereof comming to remaine to the vse aforesayde. And if the goods or chattels so distreined and sold shalbe of more value then the sayd Taxation shall come vnto, then the residue of the sayde money ouer and aboue the said Taxation, shalbe deliuered vnto the said person or persons so distreined. 27. El. 1.

And euery the sayde Constables and headboroughs, after that they haue within their seuerall limites and Iurisdictions leuied and collected their sayde Rates and summes of money so taxed, shall within tenne dayes after such collection, pay and deliuer the same ouer vnto the sayde Iustice of peace, or one of them to the vse and behoofe of the sayde Inhabitant or Inhabitantes, for whom such rate, Taxation, or Assessement shall be had or made as aforesayde: which money so payed, shall by the Iustices

The Constables shall deliuer the contribution money to the Iustices and they to the parties.

of Justice to receiving the same, be delivered over (upon Request made) by
to the said Inhabitant or Inhabitants, to whose use the same was collected.
27. Cl. 13.

Leaping of co-
tribution in
the hundred
where default
of pursute
shalbe.

6 And the like Exaction, Assessement, leaping by default and pay-
ment as aforesayde, shalbe had and done within every hundred where default
or negligence of pursute and fresh suite shall be, for and to the benefit of all
and every Inhabitant or Inhabitantes of the same Hundred, where such de-
fault shall be, that shall at any time hereafter by vertue of this present act,
have any damages or money leaped of them, for or to the payment of the one
morte or halfe of the money recovered against the sayd hundred, where any
robberie shall be hereafter committed. 27. Cl. 13.

No penaltie
where any of
the offenders
be apphe-
nded.

7 Provided, that where any robberie is, or shall be hereafter commit-
ted by two, or a greater number of malefactours, and that it happen any
one of the sayde offenders to be apprehended, by pursute to be made, accord-
ing to the sayd former mentioned lawes and Statutes, or according to this
present act, that then and in such case, no hundred or franchise, shall in any
wise incur or fall into the penaltie of forfeit, or forfeiture, mentioned either in
this present Act, or in any the sayd former Statutes, although he be restour of the
sayde malefactours shall happen to escape, and not to be apprehended. And
thing in this Statute, or in the sayde former Statutes to the contrary, not-
withstanding. 27. Cl. 13.

The suite shal-
be commenced
within a peere
after the Rob-
berie.

8 Provided also, that no person or persons hereafter robbed, shall take
any benefit by the vertue of any the sayd former Statutes to charge any hun-
dred, where any such Robberie shalbe committed, except he or they so robbed,
shall commence his or their suite, or Action within one peere next after such
Robberie so to be committed. 27. Cl. 13.

The pursute
must be by
hoysemen and
footemen.

9 No Hup or Crye, or pursute hereafter to be done or made by the
Countrey or Inhabitantes of any Hundred, shall be allowed and taken to
be a lawfull hup and crye or pursute, upon or after any the sayde felonies or
offenders, except the same hup and crye and pursute be done and made by
hoysemen and footemen. Any usage or custome to the contrary notwith-
standing. 27. Cl. 13.

Notice of the
Robberie to
some dwelling
neere where it
was done.

10 No person or persons, that shall hereafter happen to be robbed,
shall have or maintaine any Action, or take any benefit by vertue of the
sayd two mentioned Statutes, or either of them, except the sayde person or
persons so robbed, shall with as much convenient speede as may be, give no-
tice and intelligence of the sayde felonie or robberie so committed, unto some
of the inhabitants of some Towne, Village or Hamlet, neere unto the place
where any such Robberie shall be committed: And shall bring or have any
Action, upon or by vertue of any the Statutes aforesayde, except he or they
shall first within twentie dayes next before such Action to be brought, be
examined upon his or their coppyall othe, to be taken before some one Ju-
stice of the Peace of the Countrey, where the Robberie was committed, inha-
biting

The partie
robbed exam-
ined before
a Justice and
bound to pro-
secute the of-
fenders.

vising within the sayde Hundred where the Robberie was committed, or neere unto the same, whether hee or they doe knowe the Parties that committed the sayde Robberie or any of them. And if upon such examination, wher hee confesseth that hee or they doe knowe the Parties that committed the sayde Robberie, or any of them, then hee or they so confessing, shall before the sayde Justice be commended or brought, enter into sufficient bonde by recognizance before the sayd Justice, before whom the said examination is had, effectually to prosecute the same person and persons so knowen to have committed the sayde Robberie, by indictment or otherwise, according to the due course of the lawes of this Realme. 27. El. 13.

1 That Huy and Crye shall be leuyed and pursued against him which will not obey the watch in the night. See Watch. 1.

Hunters, Hunting.

If any Artificer, Labourer, or other lay man which hath not lands or tenements to the value of xl. shillings by the yeere, or if any Priest or Clerke which hath not living to the value of tennne pound by the yeere, will haue or keepe any Greyhound, bound, or other dogge for to hunt, or will vse firsers, hypes, nettes, Harepyppes, Coydes or other engines for to take or destroy Deare, Hares, conies, or other gentlemens game, he shalbe imprisoned by the space of one whole yeere. 13. R. 2. 13. S. Iustice of peace. 36.

2 If any person doth trace, destroy, and kill any hare in the shewe with dogge, bitch, or other wise, he shal forf. for every hare so killed vi. s. viii. d. 14. H. 8. 10. S. Iustices of peace, 37.

3 If any person hauing no Parke, Chase or Forrest of his owne, doeth keepe or cause to be kept any nettes called Deare haves or Buckstalles, he shal forsaite for every moneth that hee keepeth the same, x. li. to any person that will sue for the same by A. of debt, wherein no W. or. E. P. or. 19. H. 7. 11.

4 Whosoever doth stalke or cause any other person to stalke with any bush or beast, to any Deare being in any Parke, chase, forest, or without (but in his owne ground, Forrest, Chase, or Parke,) without licence of the owner, master of the game, or keeper of the same ground, Forrest, Chase or Parke, shall forsaite for every time that he or they stalketh, tennne pound, to any person that will sue for the same by Action of debt, wherein no Wager, or. E. P. or. 19. Hen. 7. 11. S. Forests. Iustices of peace. 35.

1 That vnlawfull hunting in Parkes, Warrens, &c. and denying the same, is felony. S. Felony. 24.

2 That no person shall hunt where any eared or coddled corrie shalbe standing. S. Felants 4.

Husbandry and Tillage.

Every owner that hath any house, which at any time heretofore hee had, or hereafter shall haue

A. iii.

xx. acres

None shall hunt but which hath sufficient living.

Tracing of Hares.

Buckstalles.

Stalking.

Maintaining of houses whereunto xx. acres of land belong.

Husbandry and Tillage.

So waights & measures.

xx. acres of ground to the same house lying or belonging, or with the same house commonly occupied or used, the content of every which acre shall be taken and rated after the measure limited in the treatise de terris mensurandis (although the same ground hath not bene, is, or shall not be altogether used as arable land, and put in tillage, but some part thereof) shall keepe, sustaine, and maintaine houses and buyldings vpon the sayde ground and land, conuenient and necessary for the maintaining and vpholding of the sayde tillage and husbandrie. And if any owner of any such house or land, doe occupy such house or land in his owne handes, he shall keepe and maintaine houses and buyldings vpon the same ground, and land conuenient and necessary for the maintaining and vpholding of the sayde tillage and husbandrie. 4. H. 7. 19. 5. Cl. 2. 31. Cl. 10.

Land shall not be seuered from house wherinto it belongeth.

2. ¶ Whosoever hath any house of husbandry with xx. acres of land, or more belonging or lying thereunto, or with the same commonly occupied, used, or demised, shall not seuer the sayde land nor any part thereof from the sayde house, vntil the same bee kept in tillage, or otherwise for the profite of husbandrie, according to the nature of the ground or custome of the manors where the same land shall so bee, except hee shall lay and assigne to the sayde house, or to any other house or houses within the sayd parish or Lordship, or within two myles of the sayd houses, being not also bound to be vpholden and maintained by the foresayde statute of 4. H. 7. as much other land within the same parish or Lordship or within two miles, for, and in lieu of such and so much of the former land, as ought by the said statute to haue continued with the former house, and cannot conveniently be returned to the same former house. 5. Cl. 2. 31. Cl. 10.

Land seuered from the house by lease, shall be vntied, if lease being expired.

3. ¶ If any such house of husbandry and land bee seuered the one from the other, by reason of any lease or leases for terme of life, liues or peeres, made or graunted before 1. Iauarii. An. Dom. 1563. then whensoever the sayde lease or leases shall determine by any manner of meanes, so as the same house and lands thereunto belonging shall be discharged of all such leases, the same house and landes so demised shall not be afterward seuered the one from the other, but shall goe, be kept, and occupied together at all times after, according to the declaration before mentioued, except by the returning or reuniting of the same land to the sayde house, there shall or may growe any manifest decay of any other houses newly edified, or of any other farmes that haue bene by meanes of distribution or seuerance of the same lands or any part thereof, made or assigned to be severall tenements or holdes. 5. Cl. 2. 31. Cl. 10.

Repairing of decayed towns or houses of husbandry.

4. ¶ All townes, villages, boroughs, hamlets, tithing houses, and other habitations in any parish within this realme, whereof the more part 12. die Rourmb. An. 7. H. 8. being An. Dom. 1515. were used to tillage, and husbandry, & by the owners thereof for their singular lucre, & wilfully sitheence the same day, be or hereafter shall be suffered, or caused to decay, and fall downe, where.

whereby the husbandry of the same townes, villages &c. ben or shalbe decayed, or turned from the vse of husbandry and tillage, into pasture, shalbe by the owners, their heires, successors, or assignes, or other for them, at their charges, within one yeere next after such wilful decay, reedified, & made againe meete and conuenient for people to dwell in the same, and therein to exercise husbandry and tillage, as at the sayde xii. day of Nouember or thence was vled there, after the maner of the countrey where the sayd land lyeth. 7. H. 8. 1.

5. ¶ If thence the sayde xii. day of Nouember, Anno 7. H. 8. any lands, which at the same day, or thence, were commonly vled in tillage, bee inclosed, and from henceforth shalbe inclosed, be turned onely to pasture, whereby any house of husbandry within this realme, is or hereafter shalbe decayed, then all such landes shall be by the sayde owner, his heires, successors, or assignes, or other for him within one yeere next ensuing the same decay, put in tillage, and occupied in tillage and husbandry, as they were the same xii. day, or any time thence, after the maner of the countrey where such lande lyeth. But this act shall not extend to any parke for deare, made or to be made, or to any marsh for willing or inclosing, or for any lands contayned in the same. 7. H. 8. 1.

6. ¶ If at any time thence the xii. day of Nouember An. 7. H. 8. and before the feast of Saint George Anno. 10. H. 8. any lands belonging to any house of husbandry, haue bene turned from tillage to pasture by any person, then the same landes, or so much other landes within the same parish, lordship or manor, that heretofore was not bound by any lawe or statute to bee kept in tillage, was, or ought to haue bene turned againe into tillage within one yeere next after the Session of the Parliament begonne xii. Januarii An. 5. El. and shalbe kept in tillage for ever, according to the custome of the Countrey, and nature of the soyle, whether the sayde house whereunto the said landes did belong, be decayed or not, or whether the said land were inclosed or not, or whether some part thereof and not the whole were kept in tillage or not. 5. El. 3. 1. El. 10.

7. ¶ If any owner doe contrary to the premisses, or any of them, it is lawfull for the Queene (if any such landes or houses bee immediatly holden of her, after the same shalbe found by office or verdict) or to any other Lord of the fee of whom the sayd landes or houses be immediatly holden, to receiue yeerely halfe the value of the tillies and profits of such landes &c. And for the same to distraine, and the same to keepe to her, his, or their owne vse, without any thing therfore to be given, or payed, vntill such time as the same shall be sufficiently repayed, the said pasture conuerted into tillage, and every of the former offences resourmed &c. But no freeholde or tenure shall bee in the Queene, or other Lord, neither shall any Lord lose his rent, service or other right of and in the same. And if the Lord immediat doe not take his benefit, within one yeere, the Queene after office found shall haue the same. 4. H. 7. 19. 7. H. 8. 1. 27. H. 8. 31.

Conuerting of tillage into pasture whereby any house of husbandry is decayed.

The same tillage decayed shalbe eared as game or so much other.

The penaltie for the offences comprised in the former 6. branches.

Husbandry and Tillage.

No Infant or
person beyond
the sea prein-
diced.

The shires con-
ced by 27.
y 8.

Hospitalitie
and tillage in
Scires of mo-
nasteries.

What land
shalbe kept in
tillage, and
vpon what
paine.

8. **T**his statute of 4. Hen. 7. is not preiudiciall to any Infant within the age of xxi. yeer, nor to any person out of the Realme, for any issues to be leuiued &c. as long as they shall bee within age, or out of the Realme. And also the sayde act of 27. H. 8. extendeth onely to the owners of landes in the Countiees of Lincolne, Nottingham, Lecester, Warwicke, Rutland, Northampton, Bedforde, Buckingham, Dreforde, Barkeshire, the Isle of Wight, Worcester, Hereforde, and Cambridge, and not to any others. 27. H. 8. 22.

9. **A**ll persons to whom King H. 8. or any of his heires or successours, heretofore liethence 4. Februarie Anno 27. of his reigne, haue giuen, graunted, letten, or demised or hereafter shal giue, graunt, let, or demise, any Scire or precinct, with the house & thereupon buildeb, together with the demesnes of any monasteries, priories, or other religious houses that were dissolved or giuen to the sayde King by the act made Anno 27. H. 8. (vz. such as had not in lands, tenements and hereditaments, about the clere yeerely value of £. li.) and the heires, successours and assignes of euery such person are bounde to keepe, or cause to bee kept an honest continuall house and householde in the same Scire or precinct, and to occupie yeerely as much of the demesnes in plowing and tillage of husbandrie, as then were commonly vled to bee kept in tillage, by the Gouvernours, Abbots, or Priors of the same houses, Monasteries, Priories, or by their farmour or farmours occuppying the same, within xx. yeeres next before the same statute, vpon paine to forfait to the Queene for euery moneth offending to the contrary vi. li. xiii. s. liii. d. to be recouered to her vse in any of her courts of record, 27. H. 8. in a statute not imprinted. 5. El. 2.

10. **A**ll such landes and groundes, or so much in quantitie, as in any towne, villiage, hamlet, Lordship, place knownen, or parish within Englande or Wales, haue bene eared, plowed, or put in tillage by the space of foure yeeres any time liethence the feast of Saint George the Partprin Anno 20. H. 8. other then the demesnes of the foresayde Monasteries &c. shall be eared, ploughed, vled, and kept in tillage for ever, according to the nature of the soyle and custome of the Countrey, by the occupier, or occupiers thereof without collusion, vpon payue that euery offender contrary to this act, shall forfait yeerely for euery acre x. s. which forfeiture shall goe and be to such person and persons as be next in reuerfion or remainder thereof, for terme of life, liues, or in taile, their executors or administratours. And it shall bee lawfull for him or them to leaue the same forfeiture of x. s. for euery acre, by distress, and to iustifie, or make their auowies or cognisances for the same, in such maner and forme, as any person or persons may doe for rentes reserved vpon estates made for terme of yeeres of any landes or tenements, or otherwise shall and may sue for the same forfeiture by B. of debt, B. P. or T. in any of the Queenes &c. courttes of record, wherein no W. &c. C. P. &c. And if they or any of them doe not distraine, or otherwise claime,

or demand the said penaltie, by any the meanes aforesayd, within one whole yeere next after the offence done in fourme aforesayde, and pursue for the same with effect, without fraude or couin, and doe not recouer (and might haue recovered the same) with such speede as may bee, by the due order of the lawe: Then after such default, it shall bee lawfull for him or them to whom the reuersion or remainder, or the fee simple of the sayde land shall appertaine, their executors or administrators to distraine, auowre, or make cognisauce, and iustifie, or otherwise to sue for the said forsaithure in fourme aforesayde, at any time within one yeere next ensuing any such default. And in his or their default, the sayde forsaithure to goe and be to the immediat Lord or Lordes of the fee or fees of whome the sayde landes bene holden, to bee recovered in maner and fourme aforesayde, so that hee or they doe take and sue for his or their remedie therein within one yeere next ensuing any such default, in maner and fourme aforesayd. And in his or their default the sayde forsaithure to goe and be to the Queene, her heires and successours, to be recovered by any of the meanes aforesayde, at any time at her pleasure or otherwise to any person that will sue aswell for the Queene &c. as for himselfe, for the same forsaithure, upon which sute the one moitie shall goe and bee to the Queene &c. and the other to the Informer to bee recovered by Action, Information &c. wherein no *W. &c. C. P. &c.* and if any person or persons being an occupier, and owner of any such landes and groundes as is aforesayde, of any estate of inheritaunce, shall offende against the forme of this Acte, the sayde forsaithure shall goe and bee to the next immediat Lord or Lordes of the fee, or fees thereof, his or their executors or administrators, to be recovered by such wayes and meanes, as before is limited, so that hee or they doe pursue, and take their remedie for the same in fourme aforesayd, within one yeere next after such offence committed. And if any such occupier and owner shall bee a copholder, or a customarie tenant, then the sayd forsaithure to goe and bee to the Lord or Lordes of the manor, of whom the sayde copie or customarie tenements bene holden, their executors or administrators, so that hee or they doe pursue and take their remedie for the same in such maner and fourme, and within the time last before limited. And in euery such default of the sayde Lord or Lordes of the fee or fees, and of the Lord or Lordes of the sayd manor or manors, as is aforesaid, or of any of them, the sayde penalties and forsaithures to goe and be to the Queene, or to the Queene and Informer &c. to be recovered by *A. T. &c.* wherein no *W. &c. C. P. &c.* *Cl. 2. 31. Cl. 10.*

Item. This Acte shall not bee preiudiciall to any person that hath, or shall haue any ground from Tillage or pasture, and shall keepe such ground in pasture whole, and not conuerted into Tillage, for the onely maintenance and keeping of his owne Horses, Geldings, Mares, Draught Oxen, or for the maintenance or keeping of Kine, or other Cattell, for the onely victuals to bee spent in his owne house, so that the same person hath not, or shall not haue

For what cause
for tillage may
be conuerted
into pasture.

Husbandry and Tillage.

In what case
he that is ab-
sent from his
dwelling house
may convert
tillage into
pasture.

have in his possession, occupation, or disposition, or other sufficient pasture ground for that purpose within five miles of his mansion house. But if it shall fortune any such person to be absent, and not resident at or upon his usual mansion house with his familie, by occasion of service or attendance to be done by him, the expresse commandement of the Queene, her heires or successours within the Realme, or without, or els having two or thre dwelling houses, shalbe resident with his familie at one of them, or shall be within age, then during the time of such service, minority, and absence (and one yeere next after) from any his said dwelling houses, or during the time that hee shall be resident with his familie, at or upon one of them, hee shall or may keepe such ground in pasture or meadowe, belonging or usually occupied with any of the said two or thre houses (and with no more of others) in his owne handes, or let it out to any other person without incurring any danger, so that the same person doe keepe the same mansion house unlescen, and in good and sufficient reparations, and mete for him to resort unto at all times for his dwelling. 5. El. 2. 3. 1. El. 10.

Common gra-
siers of cattell
to be sold, may
not convert
tillage into
pasture.

12. El. 2. 3. 1. El. 10. But every person that doeth commonly feede, and yearly sell beeces or muttons, to a greater number then he doeth spend in victual in his house, or which is a common grasier, and sheepe master, of beeces or muttons, so be commonly sold in markets or faires, or a common butcher, is within the danger of this statute. 5. El. 2. 3. 1. El. 10.

Tillage con-
verted into
pasture, and
permitted by
this statute.

13. El. 2. 3. 1. El. 10. This act shall not extend to any lawfull Parke or Parkes, or ancient warrens, now used with Deere or Conies, or to Parkes heretofore lawfully used as Parkes, and being disparked, or to any other groundes, that heretofore have bene by the Queenes progenitors or hereafter shalbe made Parkes or Warrens, by licence of the Queene, her heires or successours, with sufficient clause of dispensacion for converting of tillage into pasture, and he or shalbe layde, bestowed, and employed to the maintenance and keeping of Deere or Conies, without fraud, and not to the feeding or keeping of any other Cattell or beastes, but onely milch kine, for the owner or owners, or his or their keeper of such Parke or Warren for the provision of his or their house or houses, or for the keeping of his or their Horses, Gelidings, Pares, Coltes, or Swine, neither shall it extend to any waste groundes, commons, heathes, downes, fenues, moores, commonly used as common, nor to any heathes, fenues, moores, marshes being used now in severallie, and not commonly used to be sowed and put in tillage, since the feast of Saint George. Anno 20. H. 8. nor to any fresh marshes surrounden with water, within five yeeres next before the first day of the sayde Parliament (being the twelfth day of January, Anno Domini. 1563.) Nor to any Orchard, Garden, Doole, or Bonnyard, nor to any ground set or sowed with Saffron, Pops, Garlike, Onions, Flaxe, Doe, or Spawery, or sowed with Acornes, or set with any kinde of young woods, nor to any wood groundes, which are not stubbed, or wherein the wood hath bene felled or shalbe

shall be seld, and the rootes and stubbes thereof remaine undigged up, nor to any meadowes, or other groundes accustomed to bee mowen for hay once in the yeere at the least, during such time as all and eury of the same shall bee used or put to the uses or intents before specified. Neither shall this Acte compell any person to continue or put in Tillage any pasture, heath, waste, or barren groundes, which hath not bene heretofore commonly used to bee eared or tilled for corne, though the same person, to the intent to amende and better the groundes, and not to use the same for Tillage, hath at any time heretofore, or any time hereafter shall turne or put the same into Tillage, and hath or shall keepe the same in Tillage, for the space of foure yeeres together. Neither shall this act extende or bee prejudiciall to those partes or portions of groundes wherein any Dure of Leade, Tinne, Iron or Coales, commonly called Sea cole, Stone cole or Hoore cole, haue bene, are, or hereafter shall be usually gotten, by meanes whereof the same groundes cannot conveniently bee put in Tillage. Neither shall this act compell any person to put in Tillage any landes or groundes within any Forrest or chase (except the Forrest of Snowden in North wales) otherwise then before the making of this Statute he was bound to doe, nor to compell any Inhabitant of the Countie of Northumberland, Westmerland, or Cumberland, to reedifie, maintaine or keepe in manurance any house or ground that shall be overthrowen, burned, destroyed, wasted, or decayed by enemies, or by occasion of warres, or Inuasions, during the warres, or within foure yeeres after the conclusion of peace next following such overthrowing &c. 5. El. 2. 31. El. 10.

14. ¶ But this Acte doeth not giue libertie to any person which at any time since the feast of S. George hath converted, or hereafter shall convert or imploy any more ground to the keeping of Conies (not being a lawfull warren) then five acres at the most, and the same to bee within one mile of his dwelling house, and also not hurtfull to the Coyne of any person, but of the owner of the same ground, so that hee must put in Tillage as much or as many acres of his owne ground lying within the sayd Lordship, manor or parish, as the sayde Conigry shall containe aboue the sayd number of five acres, which hath not bene heretofore lyable to bee continued in Tillage by force of any lawe or Statute, Anno 5. El. 2. 31. El. 10.

15. ¶ The putting of any landes from pasture to Tillage, according to the tenour of this Act, is not any cause of breach or forfeiture of any Band, Covenant, payment, or condition made, or hereafter to bee made betwene any person, which in any wise is or shall be repugnant to this Act. And no person shall convert from Tillage to pasture any ground, which was in Tillage the first day of the Parliament begunne. 12. Januar. An. 5. Eliz. other then such as hee might lawfully haue converted before the making of this Act, An. 5. El. 2. 31. El. 10. to continue until the ende of the next Parliament next ensuing.

A warren that be but five acres within one mile of the owners house, and not hurtfull to other mens Coyne.

Converting of lands into tillage, no breach of covenant or band.

He that is
once punished
shall not be etc.
soones trou-
bled.
Within what
time sue as
gainst the of-
fendor shall be
commenced.

671 If any person shall sustain any penalte, forfeiture of land, or by reason of any offence committed contrary to the effect of any of the foresaid Actes, he shall not be esconies, vexed, sued, or impeached for the same offence. 5. El. 2. 27. El. 1. And no person or persons shall be sued, vexed, or troubled for any offence or offences contrary to the said Statute of 5. El. for and concerning Tillage, unless the Information, Action or Suite, bee or shall bee brought for the punishment of such offence or offences within two yeeres next after the sure or action, or title of action or sute shall be denoued or accrued to the person or persons that shall so sue or informe against the offender or offenders. And every information upon any the said Statutes of Tillage to bee exhibited for the Queene her heires or successors, shall bee brought within five yeeres after the Action or Information accrue to her highnesse her heires or successors. 27. Elizab. 1. 1. to continue till the ende of the next Parliament now next ensuing, See 31. El. 5. Actions popular. 2. and then consider within what time Information, Action or Suite shall bee commenced for any offences committed contrary to any of the foresayde Statutes.

1 The due tie of those to whome any commission is directed to enquire of the decay of houses of husbandry and Tillage, S. Commission 1. 3.

2 Where a husbandman being a householder may take an apprentice; S. Labourers. 15.

Jo:saile.

After issue
there shall be
Judgement
notwithstanding
any Jo:saile
made or mis-
pleading.

If any issue bee tryed by the oath of twelve or moze indifferent men for the partie plaintife or demandant, or for the tenant or defendaut, in any action or sute at the Common lawe of this Realme, in any of the Queenes Courts of Record, then the Justice and Justices by whom judgement there of ought to bee given, shall proceede and give Judgement in the same, any mispleading, lacke of colour, insufficient pleading, or Jo:saile, any miscontinuance or discontinuance, any misconceyng of proces, mistopning of the issue, lacke of warrant of attourney for the partie against whome the same issue shall happen to bee tryed, or any other default or negligence of any of the parties, their counsaillours or Attourneis, had or made to the contrary notwithstanding. And the sayde Judgements thereof so to bee had and given, shall stand in full force to all intents according to the sayde verdict, without any reuelall, or undoing of the same, by writt of Error or of false Judgement, in like forme, as though no such default or negligence had neuer bene had or committed. 30. P. 8. 30. 2. Ed. 6. 32.

No stay of
judgement for
lacke of forme.

3 If any verdict of twelve men or more shall be given in any action, sute, bill, plaint, or demand in any Court of record, the judgement there upon shall not be stayed, or reversed by reason of any default or lacke of forme, touching false writt, or variance from the register, or other defaultes in forme, in any writt originall, or iudiciall count, declaration, plaine, bill,

bill, sold or bargain, or for want of any writ original, or initial, or by reason of any imperfect, or insufficient returns of any writ, or other officers, or for want of any warrant of attorney, or by reason of any manner of default in process upon or after any writ, paper or voucher. And any such record not indigent after verdict given shall be reversed for any the defects by causes aforesaid, any law, statute, or usage to the contrary notwithstanding. But this Act shall not extend to any writ, declaration, or suite of appeal of felony, or murder, nor to any indictment, or presentment of felony, murder, treason, or other matter, nor to any process upon any of them, nor to any writ, Bill, Action, or information, upon any popular or penal statute. 18. Cl. 13.

Jesuites, and Priests.

All and every Jesuites, Seminarie Priests, and other Priests whatsoever, made, or ordeined out of the Realme of England, or other the Queenes highnesse dominions, or within any of her Majesties realmes or dominions, by any authoritie, power or Jurisdiction, derived, chalenged, or pretended from the See of Rome, (since the feast of the Nativite of Saint John the Bapt. An. primo. Cl.) shall within xi. dayes next after the ende of this present session of Parliament, depart out of this Realme of England, and out of all other her highnesse Realmes and dominions, if the winde, weather and passage shall serve for the same, or else so soone after the ende of the said forty dayes, as the winde, weather and passage shall so serve. 17. Cl. 13.

It shall not be lawfull to or for any Jesuite, Seminarie Priest, or other such Priest, deacon or religious or ecclesiasticall person whatsoever, being to the contrary in this realme, or any other the Queenes highnesse dominions, and hereafter (since the said feast of the Nativite of S. John the Bapt. Anno primo. Cl.) made, ordeined or professed, or hereafter to be made, ordeined, or professed by any authoritie or Jurisdiction, derived, chalenged or pretended from the See of Rome, by or of what name, title or degree soever the same shall be called or known, to come into, be, or remaine in any part of this Realme, or any other her highnesse dominions after the ende of the same fourety dayes, other then in such speciall cases and upon such speciall occasions onely, and for such time onely, as is expressed in this Act. And if hee doe, then, every such offence shall bee taken and adjudged to bee high Treason, And every person so offending, shall for his offence, bee adjudged a Traytor, and shall suffer, lose, and forfeit, as in case of high Treason. 17. Cl. 2.

Every person which after the ende of the same xi. dayes, and after such time of departure, as is before limited and appoynted, shall wittingly and willingly receive, retinue, comfort, ayde, or mainteine any such Jesuite, Seminarie Priest, or other Priest, Deacon, or religious or ecclesiasticall person, as is aforesaid, being at libertie or out of holde, knowing him to be a Jesuite, Seminarie Priest, or other such Priest, Deacon or religious or ecclesiasticall person as is aforesaid, shall also for such offence, bee adjudged a felon

shall not be
indigent after
verdict given
shall be reversed
for any the defects
by causes
aforesaid

All Jesuites
and Priests
shall depart out
of the Realme.

No Jesuite or
Priest shall
come into, or
remaine with
in this realme.

Treason

Receiving or
retaining a
Jesuite or
Priest

felony

Iesuites and Priestes.

of shew without benefit of Clergie, and suffer death, lose and forfait, and incurre
of one attainted of felonie. 27. Cl. 2.

Then which
be in Semina-
ries, shall after
Proclamation
returne and
take the oath.

4. If any of her Maiesties Subjects (not being a Jesuite, Semi-
narie Priest, or other such Priest, Deacon, or religious or ecclesiasticall
person as is before mentioned) now being, or which hereafter shall be of,
or brought up in any Colledge of Iesuites, or Seminarie already erected
or ordeyned, or here after to bee erected or ordeyned in the partes beyond the
seas, or out of this Realme in any foraine partes, shall not within five mon-
eths next after Proclamation in that behalf to bee made in the Citie of
London, vnder the great Seale of England, returne into this Realme, and
thereupon, within two dayes next after such returne, before the Bishop of
the Dioces or two Iustices of Peace of the Countie where hee shall arrive,
submit himselfe to her Maiestie and her lawes, and take the othe set forth
by Act (Anno primo Cl.) Then every such person which shall otherwise
returne, come into, or be in this realme or any other her highnes dominions,
for such offence of returning or being in this Realme, or any other her high-
nesse dominions without Submission as aforesaid, shall also bee aduindged a
Treason, and suffer, lose and forfait, as in case of high Treason. 27. Cl. 2.

Then which
be in Semina-
ries, shall after
Proclamation
returne and
take the oath.

Then which
be in Semina-
ries, shall after
Proclamation
returne and
take the oath.

5. If any person under her Maiesties subiection or obedience, shall at
any time, after the ende of the said forty dayes, by way of exchange, or by any
other wise, wayes or means whatsoever, willingly and willingly, either di-
rectly or indirectly, convey, deliver or send, or cause or procure to be conuey-
ed or delivered to be sent over the Seas, or out of this Realme, or out of any
other her Maiesties dominions or Territories into any foraine partes, or
shall otherwise willingly and willingly prebail, give or contribute any mon-
ney, or other Reliefe, to, or for any Jesuite, Seminarie Priest, or such other
Priest, Deacon, or religious or ecclesiasticall person, as is aforesaid, or to, or
for the maintenance or reliefe of any Colledge of Iesuites or Seminarie al-
ready erected or ordeyned, or hereafter to bee erected or ordeyned in any the
partes beyond the Seas, or out of this Realme in any foraine partes, or of
any person then being of or in any the same Colleges or Seminarie and
not returned into this Realme with Submission as in this Act is expressed,
and continuing in the same Realme. Then every such person so offending,
for the same offence shall incur the danger and penalty of premonition, men-
tioned in the Statute of premonition, made Anno. 16. Ric. 2. 27. Cl. 2.

Sending res-
pice to any Je-
suite, Priest or
person abiding
in any Semina-
rie.

Then which
be in Semina-
ries, shall after
Proclamation
returne and
take the oath.

None shall
send his child
or other be-
yond the Seas
without li-
cence.

6. It shall not be lawfull for any person, of or under her highnesse obe-
dience, at any time after the said forty dayes, during her Maiesties life
(which God long preserve) to sende his or her child, or other person, being
under his or her government, into any the partes beyond the Seas out of
her highnesse obedience, without the speciall licence of her Maiestie, or of
four of her privie Counsell vnder their handes in that behalf first had or
obtained (except merchants, by such onely as they or any of them shall send
over the Seas, onely for, or about his, her, or their trade of marchandise to serve

admittance, and not other wise, upon paine to forfeit and lose for every such his offence the summe of £.li. 27. Cl. 2.

13. **E**very offence to bee committed or done against the tenor of this Act, shall and may be enquired of, heard and determined as well in the Court, commonly called the Kings Bench, in the Countie where the same Court shall for the time bee, as also in any other Countie within this Realme, or any other her highnesse dominions, where the offence is or shall bee committed, or where the offendour shall bee apprehended and taken. 27. Elizab. 2.

14. **I**t shall and may be lawfull, for and to every owner and matter of any Shippe, Barke, or Boate, at any time within the sayde fortye dayes or other time before limited for their departure, to transport into any the parts beyond the Seas, any such Jesuite, Seminarie Priest, or other Priest aforesayde, so as the same Jesuite, Seminarie Priest, or other Priest aforesayde, so to bee transported, doe deliuer unto the Maior or other chiefe officer of the Towne, Port, or place where he shall be taken in to be transported, his name, and in what place he received such order, and howe long hee hath remained in this Realme or in any other her highnesse dominions being under her obedience. 27. Cl. 2.

15. **T**his act, or any thing therein conceyned, shall not in any wise extend to any Jesuite, Seminarie Priest, or other such Priest, Deacon, or religious or ecclesiasticall person, as is before mentioned, as shall at any time within the sayde fortye dayes, or within thre dayes after that hee shall hereafter come into this Realme, or any other her highnesse dominions, submit himselfe to some Archbishop or Bishop of the Realme, or to some Justice of peace within the Countie where hee shall arrive or lande, and doe thereupon truly and sincerely before the same Archbishop, Bishop, or such Justice of peace, take the sayde oath set forth Anno 1. Cl. and by writing under his hand, confesse and acknowledge, and from thenceforth continue his due obedience unto her highnesse Lawes, Statutes and ordinaunces, made and provided, or to bee made or provided in causes of religion. 27. Cl. 2.

16. **I**f it happen at any time hereafter, any Peere of this Realme, to be indicted of any offence, made Treason, Felony, or premonition by this Act, hee shall have his triall by his Peeres, as in other cases of Treason, Felony, or Premonition, is accustomed. 27. Cl. 2.

17. **I**f any Jesuite, Seminarie Priest, or other Priestes abovesayde, shall for any cause be so weake or infirme of bodie, that he or they may not passe out of this Realme, by the time herein limited without imminent danger of life, and this understood as well by the corporall oath of the partie, as by other good means, unto the Bishop of the Dioces & two Justices of peace of the same Countie, where such person or persons do dwell or abide. Then, and upon good & sufficient Band of the person or persons, with surties of the summe

Where the offence committed against this Act, shall be enquired of, heard and determined.

Transporting of Jesuites, Priestes, &c.

Favour to Jesuites and Priestes upon their submission.

Trial of a Peere.

If Jesuites or Priestes weake of bodie, they cannot passe out of the Realme.

Jesuites and Priests

summe of C. li. at the least, with condition that he or they shall be of good behaviour towards our Soueraigne Lady the Queene, and all her high people, Then he or they so licenced and doing as is aforesayd, shall and may remaine and be still within this Realme, without any lesse or danger to fall on him or them by this act, for so long time, as by the same Bishop and Iustices shall be limited and appointed, so as the same time of absence shall not exceede the space of sixe moneths at the most. And no person or persons shall susteine any losse, or incurre any danger by this Act, for the receiving or maintaining of any such person or persons so licenced as is aforesayd, for, and during such time onely as such person or persons shall bee so licenced to carrie within this Realme: Any thing conceived in this Act to the contrary notwithstanding. 27. Cl. 2.

Danger in this which concealeth his knowledge of Jesuites and Priests.

12. ¶ Every person or persons being subject of this realme, which after the sayde forty dayes, shall know and understand, that any such Jesuite, Seminariane Priest, or other Priest aforesayd, shall abide, stay, carrie or be within this Realme, or any other the Queenes dominions and countries, contrary to the true meaning of this Act, and shall not discouer the same unto some Justice of peace, or other high officer, within twelve dayes next after his said knowledge, but willingly conceale his knowledge therein: every such offender shall make fine, and be imprisoned at the Queenes pleasure. And if such Justice of Peace or other such officer, to whom such matter shall be discouered, doe not within xviii. dayes then next following, give information thereof to some of the Queenes privie counsell, or to the President or Vicepresident of the Queenes counsell established in the North, or in the marches of Wales, for the time being: Then he or they so offending, shall for every such offence, forsaie the summe of C. C. markes. And such of the privie counsell, President or Vicepresident, to whome such Information shall be made, shall thereupon deliver a note in writing, subscribed with his owne hand, to the party by whom he shall receive such Information, testifying that such Information was made unto him. 27. Cl. 2.

A Justice of peace not giving information to the Queenes Council.

A note in writing of the Information.

13. ¶ All such oathes, bonds and submissions, as shall be made by force of this act as aforesayd, shall be certified into the Chancery by such parties, before whom the same shall be made, within three moneths after such submission upon paine to forf. for every such offence, C. li. to the Queene, her heirs and successors. 27. Cl. 2.

All oathes, bonds and submissions certified into the Chancery.

14. ¶ If any person so submitting himselfe, as aforesayd, doe at any time within the space of ten yeeres after such submission made, come within tenne miles of such place, where her maiestie shall be, without speciall licence from her Maiestie in that behalf to be obtained in writing under her hand: Then and from thenceforth, such person shall take no benefite of his sayde submission, but the same submission shall bee voyde as if the same had never bene. 27. Cl. 2.

Restraint from the court, by persons submitting.

Inconveniencie.

It is lawfull to all Archbishops, Bishops, and other ordinaries, having Episcopall jurisdiction, to punish and chastise such Priests, Clerks, &c. being within the bounds of their Jurisdiction, as shalbe convicted before the by examination, & other lawful proofs (requisite by the law of the Church) of adulterie, fornication, incest, or any other fleshly incontinencie, by committing them to warde and prison, there to abide, for such time as shalbe thought to their discretions convenient, for the qualitie & quantitie of their trespassse, and none of the said Bishops or ordinaries shalbe therefore chargeable, of, to, or upon any Action of false imprisonment. 1. H. 7. 4.

Spiritual persons punished for incontinencie.

Incumbent.

When the Queene shall make collation or presentation to a benefice in an others right, the title whereupon she groundeth shalbe well examined that it be true, and if at any time before judgement given, the title (upon good information) be not found true, or iust, the collation or presentment shalbe repealed, and the Patron, or the possessor which sheweth and proueth the title to be false, shal have as many wyes in the Chancery, as he wil, 2. E. 3. 3. And if the Queene do present to a benefice, which is full of any Incumbent, the Queenes presentment shall not be received to such benefice by the Ordinarie, vntill the Queene hath recovered her presentation by proces of lawe, in her owne Court. And if any presentment of the Queenes bee otherwise received, and the Incumbent put out without due proces, the saide Incumbent so put forth may commence his suite, within one yeare after the induction of the Queenes presentation. 13. Rich. 2. 1. or at any time after the yeare at his pleasure. 4. Hen. 4. 21. S. Lap. 3.

The Queene presenting in an others right.

The Queene presenting to a benefice full of an Incumbent.

Indictments.

The words vi & armis, by Cum Baculis, Culcellis, arcibus, & sagittis, or such other like, shall not of necessity be comprised in any inquisition, or indictment, nor the party indicted of any offence, shal take any advantage by writ of Error, plea, or otherwise, to auoyde any such inquisition or indictment, for that the said words, or any of them, shall not bee put in the said inquisition or indictment, but the saide inquisitions and indictments lacking the foresaid words, or any of them, shall be taken to all intents as good and effectually in law, as if the said words were in them. 37. H. 8. 8.

Words not necessary in indictments.

1 The Justices assigned to heare and determine felonies, may direct their wyes through all the counties of England, where need shalbe, to apprehend those which be appealed, indicted, or outlawed of felony in one Countie, and be dwelling or received in an other County. 5. E. 3. 11.

Proces against Indictments in another countie.

2 Upon euery indictment, or appeale, by the which any of the Queens liege people dwelling in other Counties, then there where the Indictment or appeale shalbe taken of Treason, felony, and trespassse, before Justices of peace, or any other having power to take such indictments or appeales, or other Commissioners or Justices in any County, Franchise or Li-

Indictment of persons dwelling in freine counties.

Vertie within England, before any Exigent awarded upon any Indictment or appeale to be taken in forme aforesaid; immediately after the first writte of Capias upon every such indictment or appeale awarded and returned, an other writ of Capias shall be awarded, directed to the Sherife of the countie whereof he which is indicted is, or was supposed to be conuersant by the same indictment, returnable before the same Iustices or Commissioners, before whome hee is indicted or appealed at a certaine day, containing the space of 3. moneths from the date of the said last writ, by the which writ of second Capias, it shalbe contained and commanded to the same Sherife, to take the body of him which is so indicted or appealed, if he may bee founde within his Bayliwicke, And if he cannot be found within his Bayliwicke, that the Sherife shall make Proclamation in two Counties before the returne of the same writ, that he which is so indicted or appealed, shal appeare before the same Iustices or Commissioners in the Countie, Liberty, or Franchise, where he is so indicted or appealed, at the day contained in the said last writ of Capias, to answer to the Queene, or to the partie of the felony, treason or trespassse, wherof he is indicted or appealed, after which second writ of Capias so serued, and returned, if he which is so indicted or appealed doeth not come at the day of the saide writ of Capias returned, the Exigent shalbe awarded against such indicted or appellees, and every of them. And if any Exigent be awarded upon any such Indictment or appell against the foresaide forme, or any outlawrie thereupon pronounced, the said Exigent and the outlawrie thereupon pronounced, and every of them shal bee voyde. And the partie against whome such exigent is awarded, or outlawrie pronounced, against the foresaide forme, shall not bee endamaged in his life, lands, or goods, &c. And every one which is indicted or appealed in forme aforesaide, after he is acquitted by verdict in forme of law, may haue an Action vpon the case, against every Procurour of such indictments or Appales, in which Action there shalbe like proces, as in an action of trespas Vi & armis. And if the saide Procurours bee attainted, the plaintife shall recouer treble dammages. But this Statute extendeth not to indictments, or Appales, taken in the Countie of Chester. Nor to any indictment or appeale of Felonie or Treason, taken of any of the Queenes liege people, which at the time of the same Felonie or treason supposed, is and was conuersant within the Countie wherof the Indictment or appeale maketh mention, but the like proces shall bee made against such indicted or appealed person as hath bene vled. 8. R. 6. 10. S. Exigent. 5. 6.

Action against
procurours.

Indictment or
appeale in the
Countie of
Chester.

Proces vpon
an indictment
remoued into
the Kings
Bench.

4 ¶ And if any such indictments taken before any Iustices of peace, or any other hauing power to take such indictments or appales, or other Iustices or Commissioners in any Countie, Franchise, or libertie of England, shalbe remoued into the Kings Bench, or els where by Certiorari, or other wise, then after such remouing, before any Exigent awarded upon.

upon any such Indictment or appeale in forme aforesaid taken, immediately after the first writte of Capias, upon every such indictment or appeale awarded, and returned, an other writte of Capias shalbe awarded, directed to the Sherife of the Countie, whereof he that is so indicted or appealed, is or was supposed to be conversant by the same indictment, or appeale, returnable in the Kings Bench, at a certain day, containing the space of three moneths, from the date of the said last writ of Capias, according to the manner and forme that the Iustices of peace and other ought to haue done, before such remouing. And if any Exigent be awarded upon any such indictment or appeale after such remouing against the forme aforesaide, or any outlawry thereupon pronounced, as well the same Exigent as the outlawry and every of them be voyd. 10. H. 6. 6.

¶ If a man bee indicted of Felonie before Iustices to heare and determine in their Sessions, the Sherife shalbe commanded to attach his body by writ or precept called a Capias. And if the Sherife returne therein, that the body is not found, immediately another writte or precept of Capias shalbe awarded, returnable three weekes after, and therein it shalbe comprised that the Sherife shal seise all his cattels, and safely keepe them vntil the day of the writ or precept returned. And if the Sherife returne that the body is not found, and the indicted commeth not, the Exigent shalbe awarded, and the cattels shalbe sold. But if he come and yeeld himselfe, or be taken by the Sherife, or other officer, before the returne of the second Capias, the goods and cattels shalbe saved. 25. Ed. 3. 14.

Proces upon
an indictment
of felonie.

1 In what sort an ordinarie shalbe indicted of extortion, or oppression. S. Ordinary. 2.

2 That no Indictor shalbe put in Enquestes, vpon the deliuey of the partie indicted. S. Iurors. 3.

3 Where Iustices of peace may charge one Enquest to indict an other. S. Iurors. 9. Iustices of peace. 44.

4 For Indictments taken in the countie of Lancaster, or of any person dwelling in another Shire. S. Iurors 17.

5 For indictments taken in another countie against any person dwelling in the countie of Lancaster. S. Iurors 18.

6 By what persons, and by whom empanelled, all indictments shalbe made. S. Iurors 7.

7 That Indictments taken before Sherifes in their Turnes shalbe deliuered to the Iustices of peace, of the same Shire. S. Sherifes 12.

8 That Indictors being sued in spirituall courts, shall haue a prohibition. S. Prohibition 7.

9 That Iustices of peace may award proces against them which be indicted in the Sherifes Turne. S. Sherifes 13.

10 For the order of taking Indictments in the Sherifes Turne. S. Sherifes 12.

Inholders Inrolments.

Who an Inholder shall sell hay, otes, liture.

Inholders of Hoshlers, shall sell their hay and oates at a reasonable price, and shall take nothing for their Liture. 13.R.2.8. And if any Inholder doe take above a halfe peny more for a bushell of otes, then the common price in the market, and that be duely proued, hee shall forfeite the quadruple value of that which he hath taken ouer, and that as well at the parties, as at the Queenes suite. 4.H.4.25.

Hoshthead.

2 Every Hoshler or Inholder (except hereafter excepted) which maketh hoshthead in his house or els where, shall forfeite the treble value thereof. 13.R.2.8.4.H.25. But euery Hoshler or Inholder, dwelling in any Town or Village being a Thorough fare, or common passage within this Realme, and being no Citie, Towne corporate, or market Towne (wherein any common Baker exercising the occupation of baking, which hath bin apprentice to the said occupation vii. yeares, is dwelling) may make within his house, hoshthead sufficient, lawfull and of due assize, according to the price of graine, any thing mentioned in either of the foresaid Statutes, notwithstanding. 32.H.8.41. S. Iustices of Peace. 50.

Inrolments.

Inrolments of bargain and sale of lands.

No manors, lands, tenements or other hereditaments shall passe, alter or change from one to another whereby any estate of inheritance or freehold shall be made or take effect in any person or persons, or any vse thereof to be made by reason only of any bargain and sale thereof (except the same bargain and sale be made by writing indented, sealed and inrolled in one of the Queenes Courts of Recorde at Westm. or els within the same countie or counties, where the same manors, lands and tenements, so bargained and solde lie, or be, before the Custos Rotulorum, and two Iustices of the peace, and the Clarke of the peace of the same countie or counties, or two of them at the least, wherof the Clarke of the peace to be one, and the same inrolment to be had and made within fixe moneths next after the date of the same writing indented, 27.H.8.16.)

The fees for inrolment in the countie.

2 The Custos Rotulorum, or Iustices of peace, and Clarke shall take for the inrolment of euery such writing indented before them, where the land comprised in the same writing exceed not the peereley value of xl. shillings, ii. s. that is, twelue pence to the Iustices, and xii. d. to the Clarke, and for the inrolment &c. where the land comprised doeth exceede the summe of xl. s. in yearely value, v. s. that is, ii. s. vi. d. to the Iustices, and ii. s. vi. d. to the Clarke for inrolling the same deede. And the Clarke of the peace of euery countie, shall sufficiently inroll in parchment the same writings indented, and shall at the ende of euery yeere deliuer the rolles thereof to the Custos Rotulorum of the same Countie, there to remaine, to the intent that euery party which hath to do therewith, may resort to him and see the effect thereof. 27.H.8.16.

Corporate townes using to inroll.

3 But this act doeth not extend to any lands, tenements or hereditaments lying within any Citie, borough, or towne corporate, wherein the Paiores,

Shalors, Recorders, or other officers haue authoritie, or haue lawfully v-
 sed to inroll any euidences, deedes, or other writings within their precincts
 and limits. 27. H. 8. 16. For recoveries, deedes inrolled, and releases ta-
 ken and knowledge before them, be and remaine of like force to all intents,
 as any of them were before the making of the said act. 34. H. 8. 22.

4 ¶ From the feast of Easter next (being 11. Aprilis An. D. 1563.) all
 inrolments of such writings indented (wz. as be before mentioned 27. H. 8.
 16.) of any bargain and sale after the said feast of Easter to bee made of a-
 ny manors, lands, tenements or other hereditaments set, lying, or being in
 the counties of Lancaster, Chester and Bishopricke of Durham, being
 made and inrolled within vi. moneths next after the date of any such wri-
 tings indented in the Queenes court of Chancery at Lancaster, or before
 the Queenes Justice or Justices of Assises at Lancaster aforesaid, concer-
 ning any manors, landes, tenements or hereditaments within the saide
 Countie of Lancaster in the Queenes Court of the Eschequer at Chester,
 or before the Queenes Justice or Justices of Assises at Chester aforesaide
 concerning any manors, landes, tenements or hereditaments within the
 said Countie of Chester. Or in the court of Chancery at Duresme or be-
 fore the Justice or Justices of Assises at Duresme aforesaide, concerning
 any manors, lands, tenements or hereditaments within the saide Countie
 of the Bishopricke of Duresme, shalbe accepted, deemed, reputed and ta-
 ken to be as good and auailable in law to all intents, as if the same wri-
 tings indented had beene made and inrolled in any of the Queens Courts
 at Westminister, any thing in the saide former act &c. notwithstanding. 5.
 El. 26.

Inrolments
 in Lancaster,
 Chester, Dure-
 ham.

5 ¶ Provided alwayes that this Acte shall not extend to any Manors,
 lands &c. lying within any Citie, Borough or Towne corporate within
 any of the said Counties wherein the Shalors, Recorders, Baylives, or o-
 ther officer or officers haue authoritie and haue lawfully v-
 sed to inroll any
 Euidences, Deedes, or other Writings within their Precinct or Limits,
 any thing &c. notwithstanding. 5. El. 26.

Corporate
 Townes.

¶ 1 In what case it is necessarie, that a safecondite should be inrolled. S.
 Safecondite. 1.

¶ 2 That such things which concerne fines and recoveries may bee in-
 rolled. S. Fin. s. 17. 29. &c.

¶ 3 For the office of inrolments, and fees of inrolments of fines and re-
 coueries. S. Fines. 24. 34.

Iointenancie.

If the tenant in Assise of Nouel disseison alledgech against the plaintife,
 that he holdeth the tenements &c. ioyntly infeofed with his wife, or with
 some stranger not named in the writte, and sheweth a deede that testifi-
 eth the same, and prayeth iudgement of the writte, if the Plaincfe offer
 to verifie by the assise, that the tenant at the day of the purchasing of the
 writte

Iointenancie
 in assise pleas-
 ed by deede.

Iointenancie.

Writ was sole tenant, then the Iustices shall retaine the saide writ in their keeping, as that which is in effect denied. And they shall warne by writte the partie which is absent, that he appeare at a certaine day, together with the other tenant, to answer to the Plaintife, as well of the exception as of the tenements demaunded, and put in viewe &c. At which day if both the saide tenants appeare, and auowe the feoffement, they shall answer & maintaine the exception alledged by one of them, and likewise pleade further to the Assise, as though the writte had bene purchased ioyntly against them. And if it be founde by the Assise that they were not iointly infeoffed, then though the assise passe for the tenants against the pl. yet they shall bee one yere imprisoned, for alledging such exception. But the Iustices shall not admit any such exception by the Baylifes of any tenants. And if hee which alledgeth that exception, absent himselfe at the day, and the other which is saide Iointfeoffee appeareth and disauoweth the deed, yet the assise shalbe taken against the tenant that is absent by his default. And if it bee found by the assise that they were not Iointfeoffes, at the day of the purchasing of the writte, and likewise that the tenant did disseise the plaintife, then the Plaintife shall recouer his seison and his double dammages, and he that alledged the exception shalbe punished in forme aforesaid. And if neither of the tenants come at the day, then the assise shall be taken against them by their default. And if it be found that the exception be true and lawfully alledged, the plaintifes writte shall be quashed, whether both or one onely come. 24. Ed. 1.

Iointenancie
shall not bee
pleaded by
Bailly.

Iointenancie
pleaded in
Mortdaunces-
ter, or Iuris
vicum.

2. **I**n the same maner, if in assise of Mortdauncester, or Iuris vicum, at the first day that the party appeare, the tenant alledgeth the foresaide exception, and the plaintife offereth to verifie by assise, that the tennaunt at the day of purchasing of his writ was sole Tenant, then the same proccesse and order of proceeding shalbe obserued, as befoze is said in assise of Nouel disseison, and the offenders in like sort punished. 24. E. 1.

Iointenancie
pleaded in any
prace.

3. **I**n other writs whereby lands be demaunded, if at the first day of apparance, the tenant alledgeth the foresayd exception, and the demandant offereth to verifie his writ by the Jury of the countrey, then the same procces shalbe obserued betweene the parties, untill the Jury haue passed betweene them, and if it be found by the Jury, that the exception was truly alledged, the writ shalbe abated. But if it be found that the exception was falsly and maliciously alledged to the hurt of the partie, then the demandant shal recouer seison of the lands demaunded, and the tenant shalbe imprisoned as is aforesaide, and answer damages after the discretion of the Iustices. 24. Ed. 1. Stat. de coniunctim feoffat.

1 Where, and by what meanes, iointenants are compellable to make partition. S. Partition. 2. 3. 4.

NO person shal conuert or imploy, or cause to be conuerted or imployed to coale or other fuel for the making of yron, any Timber tree of oke, Beech, or Aſhe, or of any part thereof, of the breadth of one foote square at the stubbe, and growing within xiiij. miles of the sea, or of any part of the rivers of Thames, Seuerne, Aue, Humber, Dee, Ene, Trent, or any other Riuer, Creeke, or streame, by the which carriage is commonly vsed by boate or other vessel to any part of the sea, vpon paine of forfaiture for euery such Tree, or any part thereof so imployed, *sc.* s. to the Q. and J. to be recovered by A. J. *sc.* wherein no W. C. P. or J. *sc.* i. Cl. 15.

What wood
shal not be im-
ployed to the
making of
Iron.

But this act shall not extende to the countie of Suffex, nor to the wilde of Kent, nor to any the parishes of Charlewood, Herwigate and Ligh in the countie of Surrep. i. Cl. 15.

NO person or persons shall conuert, or imploy, or cause to be conuerted or imployed to coale, or other fuel, for the making of Iron, or of Iron mettall, in any Iron milles, furnesse, or hammer, any maner of wood, or vnder wood now growing, or which hereafter shall grow within the compasse of xxiij. miles, from and about the Citie of London, or the Suburbs of the same, or within xxiij. miles of the riuer of Thames, from Dorchester in the countie of Oxforde downewards the said riuer of Thames, nor within xiiij. miles of the foote of the hils called the downes, betwixt Arundel and Pemsey in the Countie of Suffex, nor within xiiij. miles of any of the townes of Minchelsey and Rie, nor within ii. miles of the towne of Pemsey, nor within ii. miles of the townes of Hastings in the said Countie, vpon paine to forfaiture for euery loade of wood so to bee imployed or conuerted into coale or other fuell for the making of Iron, or Iron mettall, in any Iron mill, furnace or hammer, as aforesaid, s. to the Q. and J. to be recovered by A. J. P. or J. wherein no W. C. P. or J. *sc.* 23. Cl. 5.

Wood con-
uerted into
coale for the
making of
Iron.

This act shall not extend to any woods growing, or to grow in any such parts of the wields of Surrep, Suffex or Kent, within the saide xxiij. miles of the saide Citie of London and the Riuer of Thames, as is distant aboue xiiij. miles from the citie of London, and viij. miles from the said Riuer of Thames. 23. Cl. 5.

The wields of
Suffex, Surrep
and Kent,

NO newe Iron workes shalbe erected within xxiij. miles of the said Citie of London, nor within xiiij. miles of the saide Riuer of Thames, nor within xiiij. miles of the downes aforesaid, or of the sayde Townes of Pemsey, Minchelsey, Hastings or Rie, vpon paine of C. li. Likewise to bee recovered and employed as is aforesaid. 23. Cl. 5.

New Iron
workes.

This act, nor any thing therein contained, shal extend to any woods or vnderwoods, now standing or growing, or which hereafter shall stande or grow in, or vpon any landes of Christopher Darrell. Gent. in the parish of Rudigate, within the wield of the Countie of Surrep, which woods of the said Christopher haue heretofore bene, and be by him preserued and coppised for the vse of his Iron workes in those parties. 23. Cl. 5.

Christopher
Darrell.

Jurors, Iuries, and Enquests.

*No new iron
mills shalbe set
vp in Suffex,
Surrey, Kent.*

7 **N**O person or persons, shall make, erect, builde, or new set vp, at or in any place within the Countie of Suffex, Surrey, or Kent, or any of them, any maner of Iron mills, furnace, finarie, or blomary, for the making or working of any maner of Iron, or Iron mettall, other then either vpon such old and former Bayes or Pennes, wherupon hath lately bene, or at the time of the new erection shalbe then standing, some Iron milles, Fornace or Hammer, or els in and vpon such landes, as the partie or parties, so erecting any such intended new worke, shall continually furnish the same with sufficient supplie of his or their owne woods, standing or growing in and vpon his or their owne proper soile or land, being to him or them in fee simple taile, or for terme of life or liues without impeachment of waste at the least, and not otherwise. Nor shall conuert or employ, or cause to be conuerted or employed to coales or other fuel, for the making or working of Iron or Iron mettall, in or about any Iron milles, fornaces, hammer, synarie, forge, or blomarie, the body or bodies of any sound timber trees, or trees apt for the making of good and sufficient Cleftwares, or sawing timber of Oke, Ashe, or Elm, growing of the breadth or bignesse of one foote square at the stubbe, or any part of the same body or bodies of any such tree or trees, vpon paine of forfeiture for euery Iron mill, Fornace, Forge, Finarie, or Blomarie, made, erected, builded or set vp contrary to the tenor and true meaning of this acte, thre hundred pound. And for euery body of euery such timber tree, so imployed or conuerted to coale or other fuell for the making or working of Iron, as is aforesaid. Willing to the Queene and In-fourmer, to bee recovered by A. B. P. or J. wherein no W. C. P. 27. Eliz. 19.

*Sound and
good timber,
shall not be co-
nuered for the
making of
Iron.*

*Coppes and
offalles of
trees employe
d to Iron
workes.*

8 **I**T shall and may be lawfull to and for the owners of such trees, the bodies whereof haue bene or shall be, from time to time conuerted and employed to, or for any maner of Timber or Cleftware, within the wiels of Suffex, Surrey, or Kent, or any of them, (the same not being within xviij. miles of the Citie of London, or viij. miles of the Riuer of Thames, or iiii. miles of the Townes of Rie and Winchelsey, or within iij. miles of Hastings, or within foure miles of the foote of the hilles called the Downes betweene Arundel and Pemsey in the Countie of Suffex aforesayde or any of them) to employ the toppes and offalles of all such trees, to or for Coales or other fuell, seruing to or for Iron workes, at their owne wil and pleasures, this Statute, or any other &c. notwithstanding. 27. Eliz. 19.

Jurors, Iuries, and Enquests.

*What sort of
people shall bee
returned vpon
euery Iurie.*

IF any Shirife or Bailife doe put into any Iury (others then such as bee Inert neighbours, most sufficient, and least suspicious,) and is thereof arraigned, he shall pay vnto the plaintife his double damages, and be amerced vnto the D. 28. Ed. 1. 9. 34. Ed. 3. 4. 42. Ed. 3. 11.

*Old men des-
erpt.*

2 **O**lde men aboue lxx. yeres of age, being continually sicke, or diseased

diseased at the time of the summons, or not dwelling in the Countrey, shal not be put in Iuries, or petit assises, and there shalbe no moe summoned in one Assise then 24. West. 2. 13. Ed. 1. 37.

3 ¶ No indictor shalbe put in enquestes vpon deliuerance of the indictes of felony or trespasse, if he be chalenged for the same cause, by him which is indicted. 25. E. 3. 3. S. Challenge 6.

4 ¶ No Foster, Verderor, Regardour, Agistor, or other Officer of the Forest, shalbe put in any Assises, Iuries, or Enquestes to be taken out of the same Forest. 34. Ed. 1.

5 ¶ If any Juror swoyne in Assises, or other Enquestes to be taken betwene the Queene and the partie, or betwene party and party, do by himselfe or any other, take any thing of the plaintife or defendand to giue his verdict, and thereof is attainted, at the suite of the partie, which wil sue for himselfe or for the Queene, or of any other prrson (entring his plaint by Bil, immediately before the Justices, before whome the Jury was swoyne) the sayd Juror shal pay ten times so much as he hath receyued, And all those which be Imbracors to lead and procure such Enquestes in the countrey to make a gayne and profite thereof, shal bee punished as the Jurors, and if the Juror or Imbracor so attaynted haue not wherewith to make recompence in fourme aforesayde, he shal bee one yere imprisoned, which imprisonment shal not be pardoned for any fine, and the party grieved may haue his Action before other Justices, if he wil. But no Justice or other Officer shal enquire of office, vpon any of the poynts of this Statute, but onely at the suit of the party, or of others as aforesayd. 34. Ed. 3. 8. 38. Ed. 3. 12. S. Attaint. 17.

6 ¶ If any Juror in Assises, Iuries, or Enquestes, take of the one party, and of the other, and be thereof ouely attainted, he shall not after be put in any assises, iuries, or enquestes, but shal be sent to prison, and further punished at the Durenes pleasure. And the Justices before whome such Assises, Iuries, and Enquestes shal passe, haue power to enquire and determine, according to this Stat. 5. Ed. 3. 10.

7 ¶ No indictment shal bee made by any persons which be outlawed before Justices of Record, or which haue fledde to Sanctuarie by Treason, or Felonie, there to haue refuge, but by Enquest of the Queenes liege lawfull people, returned by Sherrifs or Baylifs of franchises without any denomination to the Sherriffes or Bayliffes of franchises before made, of any person of the names which by him shal be returned (except it be by the officers of the sayd Sherriffes or bayliffes of franchises knowen and swoyne to make the same, and other ministers to whome it appertayneth by the lawes to make the same) And if any indictment bee made in any poynt to the contrary, the same shal be voyd and reuoked. 11. V. 4. 9. See the force of this stat. for the denomination in some respects altered by the statute next following.

But rritii.
summoned.

No indictor
shalbe put vpo
the deliuerp of
the partie in
dicted.
No officer of
the forest shall
bee swoyne in
Enquestes.
Juror taking
reward to giue
his verdict.

Decies tantii.
Imbracors.

Amboexter.

Jurors in in
dictments shal
be returned by
the Sherrife,
without the
denomination
of others.

Tutors, Tutors, and Enquestes.

Panelles refoymed by the Justices.

8 ¶ But all panelles returned, which be at the suite of any partie, that shal be made, and put in, by every Sheriffe and their ministers, before any Justice of Gaole delivery, or Justices of peace: (whereof one to be of the Quorum) in their open Sessions, to enquire for the Quene; shalbe informed by putting to, & taking out of the names of the persons that be so impaneled, by every Sheriffe & their ministers, by the discretion of the same Justices, before whome such persons shal be returned. And the same Justice and Justices shal command every Sheriffe, and their ministers in their absence, to put other persons in the same panell by their discretions. And the same panels so refoymed by the sayde Justices, to be good and lawfull. And if any Sheriffe, or other Ministers, at any time doe not returne the same panell so refoymed; then every such Sheriffe or Minister so offending, for every such offence shal paye, x. li. to the Q. and J. to be recovered by A. B. &c. wherein no W. C. P. &c. and the Quenes pardon shalbe no barre against the party in the same, that shal sue any such action. 3. H. 8. c. 12.

Enquest to enquire of concealment of other enquests

9 ¶ The Justices of peace in every Shire of this Realme, may take by their discretion an enquest: (whereof every man shall have landes and tenements to the peerele value of xl. s. at the least) to enquire of the concealment of other enquests taken before them and before other, of such matters and offences as are to be enquired and presented before Justices of Peace, whereof complaint shalbe made by bill or bills, as well within franchise as without. And if any such concealment bee found of any enquest had or made within the yere after the same concealment, every person of the same Enquest shalbe amerced for the same concealments, by the discretion of the same Justices of peace, the sayd amerciaments to be assessed in plaine sessions. 3. H. 7. c. 1. S. Leetes, 6. 11.

Sufficiency of frehold.

10 ¶ No Sheriffe, undersheriffe, bayliffe of libertie, shal put in any recognisance of assises, injuries, enquests, or attachments that shal passe out of their proper countie any person of their bayliffes, (except he hath landes and tenements to the peerele value of an C. s. at the least) or that shal passe within the Countie (except he hath landes to the value of xl. s. peerele. 21. Ed. 1.) Neither shall any of them, or other Bayliffe returne upon any writ or precept to them directed, to returne any Enquests in any panel thereupon to be made, any bayliffes officers, or servants or any Sheriffe, undersheriffe, sherifes Clerke, Coroner, Steward of franchise, Bayliffe, or warden of prisons, in any panel by them so to be made. 23. H. 6. c. 10.

Sheriffe, coroners or gaolers servants.

Enquest touching the life of man, pleareall, or fourty markes damages.

11 ¶ No person shal be admitted to passe in any Enquest upon triall of the death of a man, or in any enquest betwixt partie and partie in plea reall, or in plea personall, whereof the debt and damages declared, doe amount to xl. markes, if the same person hath not landes, and tenements of the peerele value of xl. s. above all charges, so that he be chalenged for that cause by the party &c. 2. H. 5. c. 3. But this stat. doeth extend onely to enquests

to

to be taken or made betwixt denizen and denizen, and not to enquestes or proofes to be taken or made betwixt aliens and denizens, according to the Stat. of 28. Ed. 3. 13. for that purpose ordeyned. 8. H. 6. 29.

12 Upon complaint made to one, or more Justices of peace, of entry or deteyning of lands with force, the sayd Justice shall make his precept to the Sherife of the same Countie, commanding him in the Queenes beholfe, to cause appeare before him, sufficient and indifferent persons, dwelling neere unto the place where such force is, to enquire thereof, wherof every one hath lands or tenements to the cleere yeerely value of fourty shillings, upon every of which Jury the Sherife shall returne issues upon the first precept xx. s. upon the second fourty shillings, upon the third an hundred shillings, and at every day after, double. And if the Sherife, or any Bayliffe, hauing returne of writs, he slacke and doe not duely execute the sayde precepts, he shall forfeite for every default xx. li. to the Q. and also pay to her a fine, 8. H. 6. 9.

Jurors to enquire of forces by entrie.

13 If a Sheriffe or other person, which ought to returne writs or precepts, doe returne before any Escheator or Commissioner, any persons to enquire of lands or tenements, except every of the same Jury so returned, or other to his use, haue lands or tenements of the yeerely value of fourty shillings aboue all charges within the same Shire where the Enquire shall be made, he shall forfeite for every person so returned, fourty shillings (except the sayne Jurors be returned before an Escheator in a Citie or Coporate Towne, or which is made by any person hauing priuiledge to make Escheators. 1. H. 8. 3. H. 8. 2.

Jurors returned before Escheators or Commissioners.

14 If any Bayliffe, or other officer in any County of this Realme, doe returne or impanell in any panel to be taken or put in, or upon any inquisition or inquirie, before the Sherife in his turne, other then such as be of good name and fame, and which haue lands or tenementes of freeholde within the same Counties, to the yeerely value of twenty shillings at the least, or else Copphold lands and tenementes holden by Custome of the manour within the said County to the yeerely value of five & twenty shillings viii. d. aboue all charges at the least, he shall forfeit, for every person so impanelled, or returned, not being of the sufficiency aforesayd xl. s. and the Sherife other xl. s. to the Q. and J. &c. to be recovered by A. of debt, wherein no E. P. &c. And every indictment, taken before the Sherriffe in his turne, in any other manner, is voyde. 1. R. 3. 4.

Jurors in the Sherrifes turne.

15 Every person being the Queenes naturall Subiect bozne, which speker by name of a Citizen, or a Freeman, or any other name, doth enjoy the libertie of any City, Borough, or towne copporate, where he dwelleth, being worth in moueable goods to the cleare value of xl. li. shall be admitted in triall of murders and felonies in every sessions and gaoles of delineries kept in & for the libertie of such cities, boroughs, or townes copporate, albeit he hath no freehold. But this Act extendeth not to any Knight or Esquire,

Triall of felonies in copporate townes.

Esquire, dwelling, abiding, or resorting in, or to any such City &c. 23.
D. 8. 13.

Jurors impaneled in the Courts in London.

16 No person shalbe impanelled, summoned or sworne in, any Jury or Enquest in courts within the Citie of London, except he be of lands, tenements, goods or cattels to the value of xl. markes. And no person shall be impaneled, summoned nor sworne in Juries or inquests in any court within the sayd City for lands or tenements, or action personal, wherein the debt or damages amounteth to the summe of xl. marks, or above, except he be in lands tenements, goods or cattels, to the value of C. marks. And the same matter and cause alleged by any of the sayd parties by way of challenge, & so found, shalbe admitted & taken in every of the sayd courts as a principal challenge. And every such person impaneled or summoned to appeare in any Jury or enquest, before any of the Judges of the same City, making default at the first summons, shal loose and forfeite in issues xii. d. and at the second default ii. s. and so at every default after that, the issues and penalties shalbe doubled. And all such issues lost in the Mayor's court, shalbe forfeited, leuied and perceiued to the vse of the Mayor and Commynaltye of the said City. And al such issues lost in the Sherifes court or courts, shalbe forfeited, leuied and perceiued to the vse of the Sherifes of the same City for the tyme being toward their fee farme. 11. H. 7. 21. And for al such issues in forme aforesayd to be lost or forfeited in the Mayor's court, it shalbe lawfull to the sayd Mayor and to his successors to distreine, and the same distresse to retayne, vntill he or they be satisfied of the sayd issues. And in like manner it shalbe lawfull to the sayd Sherifes and their successors to distreine for such issues lost in their courtes, and the same to retayne vntill they bee satisfied of the sayd issues. 4. H. 8. 3. And the Sherifes of London haue authority to retorne in panels of all actions and suites depending in the Kings Bench and Common place, or Eschequer, and triable at S. Martins the graund in London by Nisi prius, persons being Citizens, hauing goods to the value of C. marks or above, to trie the issues toynd in every such action or suit. And the persons so returned shalbe sworne and doe in al such Juries likewise in every thing, as other persons shal doe hauing lands, &c. to the perely value of xl. s. ouer all charges. The Sherifes of the sayd city shal retorne vpon the first distress 11. d. in every such action, or suit vpon every of the Jurors impaneled to try the issues toynd of all things triable in London by pproces of Nisi prius out of the sayd courts, vpon the second distress 3. s. 4. d. and vpon every distress after that, the double value, vntill a full Jury in every such action or suit shal appeare, and be sworne to trie the issues toynd in the same. And if the Sherifes make any retorne vpon such distress, contrary to the forme aforesayd, they shal forfeite tennne pound to the Queene and informer, wherein no Wager, P. 4. H. 8. 3. 5. Pen. 8. 5. S. Challenge 3.

Issues returned.

Panels in London of suite depending in the Queens courts at Westminster.

Issues returned.

17 Every Indictment to be taken before any of 2 Queenes Justices in

In the Countie Palatine of Lancaster, or before any Iurife in his turne, in the saide countie, whereby any person or persons be supposed by þ same indictment to be, or to haue bene inhabiting or conuersant out of the sayde countie, and within any other Countie within England, shal be taken by verdict of xii. men, whereof euery of them or some other to their vse, shal haue landes and tencimentes to the peerele value of £.s. And no proces shal be made out of such indictment, before it be duely examined before the Iustices, within the sayde Countie, where the sayd indictours, and euery of them, at the time of such indictment taken, had landes and tencimentes within the sayde Countie of Lancaster to the peerele value of a hundred shillings aboue all charges. And if it be founde that euery of the sayde Indictours at the time of the sayde indictment taken, had not landes &c. to the sayde peerele value of an hundred shillings, then the indictment, as to such persons so indicted, supposed by the sayde indictment to be inhabiting or conuersant out of the sayde Countie of Lancaster, shal be voyde. 33. Hen. 6. 2.

Indictment in the countie of Lancaster, of a forreine dwelling in another Syrr.

18 And in like sort euery such indictment taken in any other countie, of any person inhabiting within the countie of Lancaster, shalbe taken by the verdict of twelue men, euery of them hauing landes to the peerele value of £.s. in that other countie, or els the indictment shalbe voyd. 33. H. 6. 2.

Venire facias where ech Juror must dispend xli.s. of freehold.

19 In all cases where any Juror to be returned for the triall of any issue or issues toynd in any of the Queenes courts of þ kings Bench common pleas, and the Eschequer, or before Iustices of assise by the lawes of this Realme now in force, ought to haue state of freehold in landes, tencimentes or hereditamentes of the cleere peerele value of fourty shillings, in euery such case, the Jurors that shalbe returned, shal euery of them haue estate of freeholde in landes, tencimentes, or hereditamentes, to the cleere peerele value of foure poundes at the least. And the writs of Venire facias, which shal bee awarded and directed for the impaneling of Iuries in the cases aforesayde, shal be in this forme. Regina &c. Precipimus &c. quod venire facias coram &c. duodecem liberos & legales homines de Viceneto de B. quorū quilibet habeat quatuor libras terra, tenementorū vel reddituum per annū ad minus, per quos rei veritas melius sciri poterit, &c. qui nec &c. and so forth the residue of the sayd writte after the auncient forme. And vpon euery such writ and writs of Venire facias, the Sherife or other Ministers to whom the making of the panel shal appertaine, shal not returne in any such panell, any person, vnlesse he may dispend iiii. poundes by the yere at the least of free hold out of ancient demesne, within the Countie wherethe issue is to be tried, vpon payne to for. for euery person being reterued in any such panell, that cannot dispende iiii. li. freeholde as is aforesayd. xx. s. 35. H. 8. 6. 2. Ed. 6. 3. 2. 27. Cl. 6. And in euery writ of Venire facias, wherein the sayd clause (quorum quilibet &c. shalbe omitted) the Sherife or other Minister to whom the making of the panell shal apper-

Venire facias where ech Juror may dispend xii li. of free hold.

Venire facias where ech Iurie neede not dispend iiii. li.

apper.

Jurors, Iuries, and Enquestes

appertayne, shall not returne in any such panel any person whelke hee may dispend some lauds, or tenement as of feere of freehold one of an ancient demesne, within the County where the issue is to be tryed. And also shall returne in euery such panel (viz both where the sayd clause quorum quilibet shalbe inserted or omitted) five sufficient hundreders at the least, upon payne to forfeit for euery person returned in any such panel, that cannot dispend some land by the yeere, xx. s. and for euery hundreder omitted, xx. s. 35. D. 8. 6. 2. Ed. 6. 32. At or vpon the trial of any issue ioyned in any personal action, no further challenge for the hundred shal be admitted, if two sufficient hundreders do appeare at and vpon the triall of such issue. Prouided neuertheles, that all challenges, principal or for other cause, shal be admitted, allowed, and tryed in such order and forme, as if this Acte had neuer bene made. 27. El. 6.

Hundreders.

Two Hundreders suffice in a personal action.

What issues shall be returned upon Jurors.

20 Upon euery first writ of habeas corpora, or distringas, with a Nisi prius, deliuered of record, the Sheriffe or other Minister or Ministers to whom the making of the returne shall appertayne, shal returne in issues vpon euery person empaneled and returned vpon any such writ at the least xx. s. And at the second writ of habeas corpora, or distringas, with a Nisi prius vpon euery person impanelled and returned vpon any such writte, xx. s. at the least. And at the thirde writte of habeas corpora, or distringas, with a Nisi prius, that shalbe further awarded vpon euery person empaneled and returned vpon such writte xxx. s. And vpon euery writ that shal bee further awarded to try any such issues, to double the issues last afoze specified, vntill a full Jury be sworne, or the piores otherwise ceased or determined, vpon payne to forfeit. for euery returne of issues contrary to the forme afoze sayd, v. li. to the D. and J. to bee recovered in any court of record by A. B. P. J. &c. wherein no W. C. P. &c. Prouided that this Acte shal not extend to any Iuries or Issues to be returned in any City or Towne corporate, or other towne or place priuiledged to hold plea, or in the xii. shires of Wales, but that they shal and may be returned as heretofore they lawfully might haue bene, this act &c. notwithstanding. 27. El. 6.

Issues returned vpon a Jury not summoned.

21 If any Sheriffe, vnder Sheriffe, bayliffe or other minister doe returne any person or persons to be summoned to appeare in any Jury wherein hee shal for default of his appearance lose or forfeit any issues, where in truth such person shall not be lawfully summoned, then the same Sheriffe, vnder Sheriffe, Bayliffe or other minister by whose default such person shal bee returned, summoned, as afoze sayd shal forfeit. lose and pay vnto the sayd person and persons so returned, double the value of the issues by such Jury or Jurors lost or forfeit. for his default of apparance. 27. El. 6.

Receiuing reward for not returning any Juror.

22 If any Sheriffe, vnder Sheriffe, Sheriffes deputy, Sheriffe or vnder Sheriffes clerke, or any bayliffe of franchise shal receiue, take or haue by himselfe or by any other any summe of money reward or other profite directly or indirectly, or do take any promise, make any agreement or assent to haue

any

any summe of money, reward or other profite directly or indirectly, of any person or persons for the sparing, nor warning, or not returning of any person to be sworn as a Juror, for the trial of any issue joined or to be joined in any of the Queenes Courtes aforesayde (by the kings Bench, common pleas and Chichequer) or before any Justices, then every Sheriffe, Undersheriffe, hayliffe &c. so offending shal forfeit for every such offence v. li. to the Q. and J. to be recovered in any court of record, by A. B. P. J. &c. where in no C. C. P. 27. Cl. 6.

Tales de circum-
stantibus, at the
plea request.

Denavit & m.

North Essex
County of Essex
Hundred of
Bromley

North Essex
County of Essex
Hundred of
Bromley

North Essex
County of Essex
Hundred of
Bromley

North Essex
County of Essex
Hundred of
Bromley

North Essex
County of Essex
Hundred of
Bromley

North Essex
County of Essex
Hundred of
Bromley

North Essex
County of Essex
Hundred of
Bromley

North Essex
County of Essex
Hundred of
Bromley

Tales de circum-
stantibus, where the
jurors are
other for per-
is pl.

same

23. ¶ In every writ of Habeas corpora, or distringas, with a Nisi prius delivred of record to the Sheriffe or other minister to whome the making of the returne shall appertayne, where a full Jury shall not appeare before the Justices of assise, or Nisi prius, or else after apparance of a full Jury, by challenge of any of the parties, the Jury is like to remaine untaken for default of Jurors, then the same Justices upon request made by the plaintiffe or demandant, may commaund the Sheriffe or other minister, to whom the making of the sayd returne shall appertayne, to appoynt as often as need shall require, so many of such other able persons of the sayd County, then present at the sayde assises or Nisi prius, as shall make up a full Jury, which persons so to be named and empanelled by the Shiriffe or &c. shal be added to the former panel, and their names annexed to the same, and every of the parties shall and may have his challenge to the Jurors so named and annexed to the former panel, in such wise as if they had bene impanelled upon the Venire facias, and the Justices shall and may proceede to the trial of every such issue, with those persons that were before impanelled and returned, and with those added and newly annexed to the same, in such wise as they might or ought to have done, if all the sayd Jurors had bene returned upon the Venire facias. And the same trial is as good to all purposes, as if it had bene by twelve of the Jurors impanelled; and if such persons, as the sayd Shiriffe &c. shall name and appoynt, or any of them after they shal be called, be present, and do not appeare, or after their appearance, do wilfully withdraw themselves from the presence of the Court, then the Justices may set such fine upon every such Jurour, as they shall thinke good, the same to be levied in such sort, as issues forfeited by Jurors for default of their apparance have bene accustomed. But neverthelesse, such persons as were returned in the panel by the Sheriffe or &c. that shall not appeare, but make default, shall lose the issues upon them returned, in such wise, as if the Jury had remayned for default of Jurors. 35 Hen. 8. 6. 2. Ed. 6. 32. And the benefite of the foresayd Statute of 35 H. 8. shall extend to the shires of Wales, and to the Counties Palatine of Chester, Durham and Lancaster for the making up of a full Jury de circumstantibus, the trial with them, &c. 5. Cl. 25.

25. ¶ And every clause, sentence, article and promise compiled in the sayde act of 35 H. 8. shall be taken and expounded to give the like and same.

Jurors, Iuries, and Enquestes.

same advantage to the Queenes Heiress, her heires, and successors, and to all such persons as shal pursue any action, bil, plaint, or information for the Queene, her heires and successors onely, or for her and the partie, upon request made to the Justices for the Queene, or himselfe, by the Pursuant or his Attorney, as the party plaintiffe, in any other action should or might have, by vertue of the foresayd Act. 4. & 5. P. & P. 7.

Tales de circum-
stantibus for
the def.

25. ¶ In all cases where the partie plaintiffe or demandant by any statute heretofore made, may have upon his request, made unto the Justices of Nisi prius, within England, or to 4 Justices of Oyer, or of assises of the shires of Wales and of the countiees Palantine of Lancaster, Chester and Durham, a Tales de circumstantibus, in euery such case, the parties tenants, actors, auowants and defendants (if the plaintiffes or demandantes shall upon the calling of the principall panel or Iurie, forbeare or refuse to pray the same) shall and may upon their request haue upon the same record, and by the same Justices, the Tales, or Talesses de circumstantibus, unto them granted, in like maner, forme and degree to all respects, as the plaintiffe or demandant in any suit or action may haue the same, by any statute or ordinance heretofore made or yet to be made. 14. El. 9.

Tales for the
def. in popular
actions.

26. ¶ And likewise the def. shal be admitted to pray and haue a Tales de circumstantibus in al popular actions, informations, bills, or suites commenced or had in any of the Queenes courtes of record, upon any panel lawes or statutes, wherein any person shal sue, prosecute or informe, as wel for the Queene, her heires and successors, as for himselfe, whereupon issue shalbe ioyned, to be tried by the Countrey. 14. El. 9.

Juries in at-
tain.

27. ¶ If the grand Iurie in attaine appeare not upon the first distresse had against them, so that the Iurie for their default do remaine, her that maketh default shal for. to the Queene upon the first distresse xx. s. upon the second distresse xl. s. and after making default, for euery default five pound, and the like for. shal they make which bee named in the Tales. 23. H. 8. 3. 13. El. 25. And if any of the Jurors of the grand Jury impanelled and summoned in the Courts within the Citie of London at the summons make default, so that the attaine remaineth to be taken for default of Jurors, then euery of the same Jurors so making default, shal forfeite for the first default xl. s. and at the second default v. li. and at euery default after that xl. s. and like proces shal be made and sued there against the grand Jury and the petit Jury and the party and parties, as is to be made & sued in attaine sued at the common law. And the same proces shalbe made returnable at euery buisings of common ptees, and the attaine shall not remaine to be taken after the first summons returned, for or by the default of the def. or tenant, defendant or tenants, or of any of the petit Jury named in the same attaine by this act ordeined. And the penalties forfeited by any of the said grand Jury, shal be leuied to the vse of the Paio: & Cominaltie of the said Citie, wherein no p. or C. shall be allowed &c. 1. P. 7. 21.

Juries in at-
tain sued in
London.

28. ¶ Upon

28 **¶** Upon a reasonable excuse for default of appearance of any Juror sufficiently proved before the Justices of assise or Nisi prius at the day of their appearance by the othes of two lawfull and honest witnesses, the same Justices may discharge every such Juror of the issues upon him returned, and the Sherrife or other minister having commandement by the Justices, to omit the returning of such issues upon the Juror, shall be discharged of the penalties for the not returning of the said issues. If the assise or Nisi prius be discontinued for the not coming of the Justices, or for any other cause other then for lacke of Jurors, then every of the Jurors shall be discharged of for. of any issues upon him returned. And also the Sherrife or other minister shall be discharged for the not returning of the issues. 35. P. 8. 8. 1. Ed. 6. 32. 5. Cl. 25.

Excuse for default of Jurors appearance.

29 **¶** In all manner of Enquests, and proofes, which bee to bee taken or made amongst Aliens and Denizens, be they Merchants or others, as well before the Mayor of the Seapole, as before any other Justices or ministers, although the Queene be partie, the one halfe of the Enquest or proofe shall be of Denizens, and the other halfe of Aliens, if so many Aliens bee in the Towne or place where such Enquest or proofe is to be taken, that bee not parties, nor with the parties in contracts, ples or other quarrels, whereof such Enquests or proofes ought to bee taken. And if there be not so many Aliens, then shall there be put in such Enquests or proofes as many Aliens, as shall be found in the same Townes or places, which be not thereto parties, nor with the parties as afore is said, and the remnant of Denizens, which be good men and not suspicious to the one party nor to the other. 25. Ed. 3. 8. 28. Ed. 3. 13. 2. P. 5. 3. 8. P. 6. 23.

An Enquest shall be, de modo dicere linguar, where an alien is partie.

30 **¶** But if it happen any outlandish person, calling himself an Egyptian or any such stranger, to commit within this Realme any murder, robbery or felonie, and thereof be indicted and arraigned, and doe pleade not guiltie, or any other plea triable by the Countrey, then the Enquest that shall passe betweene the Queene and such party, shall be altogether English men. 22. P. 8. 10. And in like sort shall the Enquest be, where any of the said Egyptians is indicted of felonie for continuance within this Realme by the space of one moneth. 1. & 2. P. 4. 5. Cl. 20.

Egyptians.

31 **¶** No Jury shall be compelled to appeare in any of the Queenes Courts at Westminster, for the triall of any issue in any suite, upon any penall law, for any offence committed above thirtie miles from the Citie of Westminster, except in case where the Attourney general for the time being, or some reasonable cause in that behalte shewen, shall require the same to bee tried at the Barre in any of the Courts of the Queenes Maiestie, her heires or successors at Westminster aforesaid, which request shall bee noted on the backside of the writ of Distingas thereupon awarded, to the end the Sherrife or his Bailiffe may and shall signifie the same to the Iurie that are in such cases impanelled. 18. Cl. 5.

Where Juries shall not bee compelled to appeare at Westminster.

Inrors, Iuries, and Enquests.

The Jury
may giue their
verdict at
large.

No Inror re-
turned with-
out addic-
tion of his dwelling
place.

In every Ex-
tract of Issues,
against a Jur-
or his addic-
tion shalbe put.

32 **The** Justices of assise shall not compell the Jurors prettely to say that it is a disseison, or not, so they will declare the trueth of the matter, and require the Justices helpe. But if they willingly say, that it is a disseison or not, ther verdict shalbe receiued at their owne peril. *Westm. 2. c. 13. 2 Ed. 1. 30.*

33 **No** Sherife, Coroner, or other person to whom it shal appertain to make retorne of any writ, shall retorne any Juror dwelling out of any libertie, without the true addic- tion of the place of his dwelling or abode, at the time of the said retorne, or within one yeere next before the making of any such retorne, or some other addic- tion, by which the party returned may be known: Nor any Juror within any Liberty, with other addic- tion, then such, as shalbe deliuered to him, by the Bailife of the said Libertie or his deputie, certified vnder his or their hand: Nor any bailife of any libertie, nor any his or their deputy or deputies, shal of himselfe retorne any Juror, or deliuer to the Sherife, his vndersherife, deputie, or deputies, the names of any persons to be returned vpon any panel or Jury, without the true addic- tion certified vnder his or their handes to the sherife of the place of dwelling or abode of euery person so to bee returned, at the time of the saide retorne, or within one yeere next before the said retorne or some other addic- tion, by which the party returned, may be known. *27. El. 7. 31. El. 10.*

34 **No** extract of issues, against any Juror returned, as aforesaid, shal be deliuered out, receiued or put in vze without such addic- tion as is put in the original Panel or Tales, wherein such Juror shalbe so returned: And no vndersherife, bailife, or other officer or person whatsoever, shal collect, leuy, or gather any issues so extreated, of any other person or persons, then of such person and persons, as by vertue of the said extreat, is of right charged, or chargeable, with the payment of y^e said issues, vpon paine that euery Clarke, that shal write or deliuer, or cause, or procure any such extreat to be deliue- red out, receiued or put in vze, & euery other person offending, contrary to the intent & meaning of this act, shal forfait to the Queene, her heires and successors *iii. li. vi. s. viii. d. &* to the partie grieved, or which shall susteine any losse thereby *iii. li. vi. s. viii. d.* to bee recovered by A. B. D. or J. in any court of record, wherein no *W. C. D.* shalbe allowed. *27. El. 7. 31. El. 10.* to endure to the end of the next Parliament next ensuing. *31. El. 10.*

1 That Iuries taken by the Marshall of the Quenes house, shall be of the Countrey thereabout. *S. Marshal 4.*

2 That a Iurie charged to enquire of trespassse committed within a Fo- rest, shal giue their verdict where they received their charge. *S. Forests 7.*

3 Of what sufficiencie Iurors returned to enquire of Riot, Rout or vn- lawfull assembly ought to be. *S. Riots 7. 14.*

4 Of what sufficiencie Iurors returned in ataint ought to bee. *S. At- tains. 1. 6. 7. 14. 21.*

5 Where the Iury shalbe de Medietat. lingua. *S. Attainr 21.*

6 Where

6 Where Iurors may be impanelled in one Countie to enquire of any a thing, or matter in another. S. Attaint. 7.

7 What Iurors shalbe impanelled for the trial of him which feloniously imbeselleth a record. S. Felonie. 18.

8 Where a Iurie shall be taken for an infant as though hee were of full age. S. Age. 2.

9 Within what time panels of assises shall be arrayed and copies deliueyed to the parties. S. Assise 8.

10 Where a Tales shalbe awarded into an other Countie, then where the issue is to be tried. S. Attaint 7.

11 That a Bailife shalbe appointed for the keeping of a Iurie in Wales, and the punishment of those Iurors there, which doe wrongfully acquite any fellow or Murderer. S. Wales. 114. 115.

Iustices of Assise, and gaole deliuerie.

NO Lord nor other of the Countrey great or small, shall sitte vpon the Bench with the Iustices of assise in their sessions, in any of the Shires of England, vpon paine of a great forfaiture to the Queene, neither the Iustices shal suffer the contrary to be done. 20. R. 2. 3.

No man shall sit with the Iustices of assise.

2 No Justice, nor other man learned in the lawes of this realme shalbe nor exercise the office of Justice of Assise, within any Countie where he was bozne, or doeth inhabite, vpon paine to forfaiture for euery offence done contrary to this act C. li. to the Q. and J. to be recovered by A. J. &c. wherin no W. C. p. But this act doth not extend to any Clerke of assises associate to any Justice of assise, for he may exercise the office of Clerkship of assise in any Countie, Citie, or towne, where hee doeth dwell, or was bozne, neither doth this act extend into the Iustices, Justice Clerkes, or Clerke of assises within the Queens Duchie and Countie Palantine of Lancaster, nor to the Iustices of the one Bench or other for taking, hearing or determining assises in the said Courts, nor to any Justice that shall take any assise by or vpon adiournment for difficulty of the same, nor to any Maiors, Sherifes, Recorders, Stewards, Bailifes, Sutors, or other Officers in any Citie, Bozough, or Towne, but that they may bee Iustices of assise, of fresh force, and of other assises, in the same Citie, Bozough, or Towne, where he or they doe dwell, or were bozne, as they might haue bene before.

No man shall be Justice of assise in his owne countie.

3 Iustices of assise and gaole deliuerie, shall keepe their sessions in the principall and chiefe Townes of euery Countie, viz. where the Countie courts of the same countie be holden, or shalbe holden 6. R. 2. 5. And the sessions of the Iustices of assise and gaole deliuerie within the Countie of Cumberland shalbe holden in the time of peace & truce in the citie of Carlisle and in none other place. 14. H. 6. 3. The Iustices before whom Inquisitions, enquestes and Iuries shall be taken by the Queenes writte called Nisi prius according to the forme of the Statute thereof made, haue power

where Iustices shall keepe their sessions.

Iustices of Nisi prius shall deliuer the Gaole.

Iustice and right. Iustice of peace.

of all the cases of felony and of Treason, to give their iudgements aswell where a man is acquit of felonie or of treason as where he is thereof attain-
ted at the day & place where the said Inquisitions, Enquests and Iuries be
so taken, and then from thenceforth to award execution to be made by force
of the same iudgements. 14. H. 6. 1.

1 What suites commenced before Iustices of assise shall not be discon-
tinued by death, new commission, association, or not coming of the Ius-
tices. S. Discontinuance 2. 6.

2 That new Iustices of gaole deliuerie haue authoritie to giue iudge-
ment against a prisoner found guilty, and repried. S. Discontinuance 5.

3 That Iustices of Assise and gaole deliery may inquire of seuerall of-
fences prohibited by seuerall statutes, S. Iustices of peace.

Iustice and right.

Who shalbe
Iustices of
peace.

Iustice shalbe solde, deferred, or denied to no man. Magna Charta 9. H. 3.
129. And the Iustices of any Bench or Court whatsoever shall not let to
doe, or execute the common law for any commaundment which shall come
vnto them, vnder the great seale or priuie seale. 14. Ed. 3. 14.

Iustice of peace.

Iustices shall
bee resident
within þ. shire.

In every Countie of England, good and worshipie men which be no main-
leiners of euil, nor Barratours in the Countrey, shalbe assigned Iustices
of peace. 1. Ed. 3. 16. which Iustices shalbe assigned (of the Lords. 14. Ed. 3.
1.) and the most worthy and sufficient Knights, Esquires, and men learned
in the law, of the same Countie. 13. R. 2. 7. by the aduise of the Chancel-
lor, and the Queenes Counsell, without taking other persons dwelling in
forain shires to execute the same office, except Lords and Iustices of assise,
and the Queenes chiefe Stewards of her Duchie landes in the North and
South parts, for the time being. 2. H. 7. 1. And þ. Iustices of peace of every
Shire, named of the Quorum, shalbe resident within the same shire, except
Lords named in the Commission of the peace, and also except the Iustices
of the one Bench and the other, the chiefe Baron of the Exchequer, Ser-
leantes at the law, and the Queenes Atturney, for the time that the same Ius-
tices, chiefe Baron, Serleants at the law, and the Queenes Atturney bee
attending and occupied in the the Queenes Courts, or otherwise in some
other place occupied in the Queenes seruice. 2. H. 5. 4.

Bish. of Ely.

2 The Bishop of Ely and his successors, and their temporall Ste-
wards of the Isle of Ely for the time being, shalbe Iustices of peace, within
the said Isle, and shall vse within the same Isle all things that do be long to
any Iustice of peace within any Countie of this Realme; and so shall the
Bishop of Durham, &c. and his temporall Chauncellor of the Countie
Palantine of Durham, be Iustices within the same countie, &c. And in like
sort shal the Archbishop of York, &c. and his temporall Chauncellor of the
Shire and Liberte of Wyke called Depoldsham, bee Iustices within the
same shire. 27. H. 8. 25.

Durham.

York.

¶ No man shalbe appoynted Justice of peace in any Countie, if hee haue not lands or tenements to the value of xx. pound by yeere, and if any man be ordeyned Justice of peace in any Countie, which hath not lands or tenements to the said value, he shal giue knowledge thereof to the Chancellor of England, which shal put an other which is sufficient in his place, and if he doe not giue notice thereof within one moneth, after he hath knowledge of the same commission, or if he sit or make any warrant, or precept, by force of such commission, he shalbe put out of that commission, and also shal forfeite twentie pound to the Q. and J. to bee recovered by action of debt at the common lawe. But this Statute doeth not extend to Cities, Townes, or Boroughs which be Counties incorporate of themselves, nor to cities, townes, or Boroughs which haue Justices of peace of any persons dwelling therein by the Commission or graunt of the Queene or any of her progenitors. And if there be not sufficient persons learned in the law, and of good gouernance in the same Countie having lands and tenements to the value aforesaid, the Chancellor of England by his discretion may put other persons learned in the lawe in such Commissions, though they haue not lands or tenements to the value aforesaid. 18. H. 6. 11.

of what is
uing they
ought to be.

¶ Justices of peace shalbe sworne, duely and without fauour to keep and put in execution all Statutes and ordinaunces touching their offices. 13. R. 2. 7. And every Justice of peace, before he shal take vpon him, or be allowed to exercise the same office, shal take and pronounce a corporall othe vpon the Euangelists, for the maintenance of the Queenes iurisdiction ouer all estates, and for the abolishing of foraine powers repugnant to the same. 1. El. 1. For the forme of the othe. S. Queene. 4.

Justices othe.

¶ Justices of peace shal holde their Sessions foure times in the yeere, that is, the first weeke after the feast of Saint Michael, the first weeke after the Epiphanie, in the first weeke after the Clause of Easter, and the first weeke after the translation of Saint Thomas the Martyr, and more oft if neede bee. And the same Justices shal holde their Sessions through the Realme of England in euery of the aforesaid weekes peerele. 2. H. 5. 4. Euery of which foure Sessions the saide Justices shal holde by the space of iii. dayes if neede be, vpon paine to be punished by the aduise of the Queens Counsell at any mans suite which wil complaine. But the Justices of the one bench or the other, or the Sergeantes of the Lawe, where they bee in Commission of the peace, are not bound to keepe the Sessions foure times in the yeere, as other Commissioners which bee continually dwelling in the countrey, but they shal doe it when they may well intend it, 13. R. 2. 10. and Justices of peace of the Countie of Middlesex are discharged of the said penaltie, for not keeping Sessions foure times in the yeere, (the Court of the Kings Bench sitting in the same Countie) But the Justices of the sayde Countie of Middlesex shal keep their Sessions, twice in the yeere at p least, and more often if neede be, for any riot, or forcible entry made

Quarter Sessions.

Justices wages.

Estreats.

Justices authority, and what things they are to enquire of.

Inreuerent speaking against the Sacrament.

Within the same Countie, upon the paines and forfeitures by lawe for such offences appointed. 14 H. 4. 11. 16. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869. 870. 871. 872. 873. 874. 875. 876. 877. 878. 879. 880. 881. 882. 883. 884. 885. 886. 887. 888. 889. 890. 891. 892. 893. 894. 895. 896. 897. 898. 899. 900. 901. 902. 903. 904. 905. 906. 907. 908. 909. 910. 911. 912. 913. 914. 915. 916. 917. 918. 919. 920. 921. 922. 923. 924. 925. 926. 927. 928. 929. 930. 931. 932. 933. 934. 935. 936. 937. 938. 939. 940. 941. 942. 943. 944. 945. 946. 947. 948. 949. 950. 951. 952. 953. 954. 955. 956. 957. 958. 959. 960. 961. 962. 963. 964. 965. 966. 967. 968. 969. 970. 971. 972. 973. 974. 975. 976. 977. 978. 979. 980. 981. 982. 983. 984. 985. 986. 987. 988. 989. 990. 991. 992. 993. 994. 995. 996. 997. 998. 999. 1000.

have authority to determine the sayde offences, according to the lawes of this Realme and effect of this Act. And also the shalve authority to let any person so indicted by their discretions, to baile for his appearance to be tryed according to the tenour of this Act. And the saide Justices of peace, or thre of them at the least, at their Quarter Sessions where any offndour shall be indicted of any of the offences aforesayde, shall awarde a writte in the Queenes name to the Bishop of the Dioces wherein the offence is supposed to be done, requiring him to bee in his owne person, or by his Chancellour or other his sufficient Deputie learned, at the Quarter Sessions in the sayde Countie to bee holden, when and where the offndour shall bee arraigned and tryed, appoynting in the sayde Writte the day and place of the arraignment, which Writte shall bee of this tenor.

Elizabeth &c. Ego. L. Salutem. Precipimus tibi quod tu, Cancellarius tuus, vel alius Deputatus tuus sufficienter eruditus, sis cum Iusticiariis nostris ad pacem, in Com. nostro &c. conservand. assignat. apud D. tali die, ad sessionem nostram ad tunc & ibidem tenendam, ad dandum consilium & adiutamentum eisdem Iusticiariis nostris ad pacem, super arraignmentis & deliberationem offendenti contra formam statuti concernentis sacrosanctum sacramentum Altaris. Vnde persona shall bee indicted of any contempt or offences aforesayde, but wry of such as shall bee done within thre monethes after the offence committed. But in all mals for any such offndours, before the said Justices, the person complained of, and arraigned, shall bee admitted to purge or trie his innocency, by as many or more witnesses in number, and of as good honestie and credence, as the defendant bee, which bee deposed against him. And the said Justices of assise in their circuit, and Justices of peace within the limites of their Commission, or two of every such Justices of peace at the least, whereof one to be of the Quorum, have authority in their quarter Sessions, to enquire of all offences and contempes committed by any person resident within any of the Queenes Dominions, or under her power, which shall by writing, cyphering, printing, preaching, or teaching, or otherwise, and writingly stand with, extoll, mainteyne, or defende the jurisdiction or power of the Bishop of Rome, or his seche or of any laymed be, or shall attribute any such jurisdiction or preeminence to the sayde Sea of Rome, or to any Bishopp thereof in like maner as they may of other offences against the Queenes peace. And that certifie every presentment be fore them, any of them made, concerning the same, or any part thereof, into the Kinges Bench within forty dayes after any such presentment made, if the Term be then open. And if not, in the first day of the full Term next following the said forty dayes, by open paper, the every of the said Justices of Assise or Justices of peace, before whom such presentment shall be made

to wit to the Bishop.

maintaining the authority of the Bishop of Rome.

Justice of Peace.

5. 1. Eliz. 1. 2.
5. Eliz. 1.
13. Eliz. 2. 5.
Queene.
Rome. Sacra-
ments &c.

made making default of such certificate, to forfeit for every default to the
Queen, her heirs & successors, one hundred pound. 5. Eliz. 1. Rome. 1. 1.
at and every offenders against the Act provided Anno 23. Eliz. 1. to retain the
Queenes Majesties subiects in their due obedience) by against the Acts of
the 1. 5. of 13. yeres of her reigne, touching acknowledging of her Ma-
jesties supreme government in causes Ecclesiasticall, or other matters tou-
ching the service of God, or committing to Church, or establishment of true
Religion within this Realme, Hall and may bee inquirable as well before
Justices of peace, as other Justices named in the same Statutes, within
one yere and a day after every such offence committed. And Justices of
Oyer and Terminer, and Justices of Assise, and of Gaole deliverte in their
severall limites, have power to enquire, heare, and determine of all offen-
ces against this Statute. And Justices of peace in their open quarter Ses-
sions of peace, have power by vertue of this act to inquire, heare & deter-
mine of al offences against this act (except treason and Possession of Treas-
son.) 23. Eliz. 1. S. Rome 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

Striking in a
Church.

10. Every person which doeth maliciously strike any other with a
weapon in any Church, or Churchyard, or doeth draw any weapon in a
Church, or Churchyard, to the intent to strike an other, being convicted by
verdict of twelve men, by his owne confession, or by two lawfull witness-
es before the Justices of peace, in their Sessions, shall bee adjudged by
the same Justices to have one of his eares cut off, and if he have no eares, to
be burned in the cheeke with a hot yron, with this letter F. 6. Ed. 6. 4. 5.
Fighting 4.

Preachers.

11. All and singular Justices of peace, Justices of Assise, Justices of
Oyer and terminer, and all and singular Mayors, Bailiffs, and Justices
of peace within any citie, Borough, or towne corporat, within any parts of
this Realme, within the limites of their commissions, have authority to en-
quire of all and singular offenders and misperitancours committed contrary
to the Statute provided 1. P. against offenders of preachers, and other mi-
nisters of the Church, and to heare and determine the same, and to see fines
and amercements of the said offendours, as in the said Statute limited. 1. P.
3. S. Preachers 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

Buggerie.

12. Justices of peace have authority within the limites of their Com-
missions to heare and determine the offence of Buggery, as they do in cases
of other felonies. 25. P. 8. 6. 5. Eliz. 1. 7.

Horses con-
veyed into
Scotland.

13. Justices of peace in their quarter Sessions in every shire of this
Realme and the warden and wardens of the East, West, and middle mar-
ches for the time being, in their wardens courts have authority to enquire,
heare and determine, all and every such felonies which shall be committed
by any such person which shall sell, exchange, or deliver within Scotland,
or the barable ground betwixt England and Scotland, to the use of any
Scottish man, any horse, gelding or mare, or shall sell, exchange, or deliver
within

with in the Realme, Wales, Berwicke, or the marches, or in the sayd habitable ground, to the intent to be conveyed into Scotland, any Hovse, Gelt ing, or Ware, without the Queenes speciall licence, under her great scale, 22. H. 8. 16. 1. Cl. 7. S. Felonie. 1. Horles 13.

14. The Justices of peace have power to enquire, heare, and determine the offences of all Souldiours mustring and receiuing the Queenes wages, which do depart from their capitaine within their terme, without licence, as they do and may in other cases of felonie. 18. H. 6. 19. 2. C. 6. 2. S. Capitaine 3. Felony. 23.

Transporting of sheepe.

15. The Justices of Oyer and terminer, Justices of Gaole delivery, and Justices of peace in every shire within the Queenes dominions, have authority to enquire of every person offending contrary to the Statute provided against carrying ouer sea, Rammes, Lambes, and other sheepe alive, and to heare and determine every offence committed contrary to the effect of the same, according to the course of the lawes of the Realme. 8. Cl. Sec Sheepe. 1. Felony. 2.

Hunting with wolves.

16. At every such time as any information shal be made of any unlawfull hunting by night, or with painted faces, in any Forrest, Parke, or Warren, to any of the Queenes counsel, or to any Justice of peace, of the County where such hunting shal be, of any person suspected thereof, it shal be lawfull to any of the same Counsel, or Justice of peace to whom such information shal be made, to make a warrant to the Sheriffe, or to any Constable, Bayliffe, or other Officer of the same County, to arrest and take the same person to haue him before the maker of the same warrant, or any other of the Queenes Counsell, or Justice of peace of the same County. And the Counsellor or Justice before whom such person shal bee brought, have power to examine him of the sayd hunting, and of the doers thereof, and if he conceale the offence, or any offender, it is Felonie, and if he confesse the truth, and all that he shal be examined of, and knoweth in that behalf, then the offence of hunting by him done shal bee against the Quene, but respasse simple, to be assessed at the next generall sessions by the Justices there. And if any Rescous, or disobedience be made to any person having authority to doe execution, or Justice by any such warrant by any person which should be arrested, so that execution of the same warrant thereby be not had, then the same rescous and disobedience is felonie, and the same felony shal bee inquired of and determined as other Felonies beene. 1. Henric. 7. 7. S. Felony. 24.

Powderke.

17. The Justices of peace of the Counties of Dorsetholke and Cambridge within the Isle of Elie, at every of their Sessions within the same Isle and Counties, have power to cause inquiry to be made of every offence committed in breaking by, cutting, or casting downe new Powderke in Warshland in the countie of Dorsetholke, and olde field dike by Warshland in the Isle of Elie in the County of Cambridge, and to awarde like proccesse

Iustice of peace.

proceſſe againſt euery offender, with like iudgement and execution of the ſame, (if he be found guilty) as the ſame Juſtices haue pleaſed to doe, upon other felonies at the common lawe. 2. R. 8. c. 1. 2. c. 3. R. and 3. R. See Felony. 3. 1.

**Felons.
Trespasſers.**

Barretors.

18. **Juſtices of peace** haue power to heare and determine at the Queenes ſuite all maner of felonies and treſpaſſes committed againſt the peace in the ſame County, And to reſtraine offenders, riotors, and all other Barretors, and to purſue, take, and chaſtise them, to impriſon, and puniſh them according to their treſpaſſe and offence, and alſo to informe them according to the ſaide Juſtices diſcretion; And to take and arreſt all thoſe which they can find by indictment or ſuſpicion, and to commit them to priſon; And to take of all thoſe which bee not of good fame in the place where they remaine, ſufficient ſuretie and mainprife of their good behauiour towards the Queene, and her people; and the other diſcretly to puniſh, to the intent that the people bee not by ſuch rypors troubled or damaged, nor the peace broken, nor any paſſengers by the way diſturbed, or put in perill. But the fines which Juſtices ſhall aſſeſſe upon any perſon for any offence ſhalbe reaſonable, hauing regard to the quantity of the treſpaſſe and the cauſe. 18. Ed. 3. c. 2. 3. 4. Ed. 3. 1.

Escapes.

19. **Juſtices of peace** haue authoritie to inquire in their ſeſſions of all maner of escapes, of euery perſon arreſted & impriſoned for felony. 1. R. 3. c. 3.

**Retainers,
Maintenance,
Embaceerie,
Bowſtaues,
Unlawfull
games,
Archerie,
Regatours,
Vitallers.**

20. **Juſtices of peace** at their quarter ſeſſions, haue authoritie to inquire as well by the othes of twelue men, as by information giuen to them by any perſon, of all defaults, offences and contempes committed againſt the lawes, and ſtatutes made and provided (before 16. Januarii, An. 3. R. 8. concerning, or in any wiſe touching retainers, giuing of Liveries, ſignes, tokens, or Badges, maintenance, embaceerie, Bowſtaues, Archerie, vntlawfull games, ſojestallers, Regatours, vitallers, vitallers, and inholdeys; and euery of them, and to heare and determine the ſayd defaults, offences &c. And upon any information touching the premiſſes, or any of them, to make proceſſe by Venire facias, one Capias, and an Exigent vnder their Seales, againſt euery ſuch perſon and perſons againſt whom ſuch information or preſentment ſhall be had for their appearance, before them in their ſeſſions, to anſwere to ſuch information or preſentment, as ſhall be there made. And if the perſon or perſons accuſed by information or preſentment ſhall be conuict upon any ſuch information, or &c. by confeſſion, or deuiſor of oth men, Then the ſayd Juſtices haue power to giue iudgement againſt euery ſuch offenders ſo conuicted of impriſonment, for ſaithure of money, or both of them, as are limited in the ſayd ſeuerall ſtatutes; for ſuch offences, whereof they are comitted; and to cauſe execution thereof to be made accordingly. 3. R. 8. c. 3. 4. R. 8. c. 3.

**Seditious rui-
nors of the
Queene.**

21. **Juſtices of peace** ſhall within their ſeſſions, as without within the limits of their ſeuerall commiſſions, in their generall or Quarter ſeſſions, haue

have authoritie to enquire of all and every the offences prohibited by the statute provided. 23. Cl. against seditious wordes and rumors uttered against the Queene) and to cause the offender and offenders therein to be indicted, without any further proceeding therein. 23. Cl. 2.

23. Cl. 2. And also every Justice of peace within the limites of his commission shall have full power to commit any person being vehemently suspected of any of the sayd offences to warde, vnles he do put in sureties to make his personall apparance at the next quarter Sessions or Gaole deliuerie, and in default of finding such sureties, then to commit him to prison, there to remaine untill he shall find sureties for his apparance; as is aforesayd. 23. Cl. 2. S. Newes. 3. 4. 5. 6. 7. 8. 9. 10. 11.

Suspected persons committed to ward.

23. Cl. 2. The Justices of Assise and Gaole deliuerie in their severall circuits, and the Justices of Peace in every County within this Realme, or in Wales, at their quarter Sessions, both within liberties and without, have authoritie to enquire of al and every the defaults and offences committed contrary to the Statute provided for the punishment of such, as shall procure or commit wilfull perurie, by inquisition, presentment, Bill, or information before them exhibited, or otherwise, lawfully to heare and determine the same, and thereupon to give Judgement, award proces, and execution of the same, according to the course of the lawes. 3. Cl. 9. 29. Cl. 5. S. Perurie.

Willfull perurie.

24. Cl. All and every Justice of Assise, Justice of Oyer and determiner, Justice of peace, have authoritie to enquire, heare and determine every offence committed within the limites of their commission, contrary to the tenor and meaning of the Statute provided. 4. Cl. against fond and phantasticall prophecies. 5. Cl. 13. S. Prophecies.

Prophecies.

25. Cl. The Justices of peace of every shire have authoritie from time to time to make search and view of and for the furniture of Horses, Geldings, Armour, and weapon to be kept by any person having landes &c. to the value of £. 10. or vnder, and not above £. 20. or by any person chargeable by his goods, annuities, fees, or copholdes, and to heate and determine at their quarter sessions, all defaults committed contrary to the statute provided. 4. and 5. B. and B. for the having of Horses, Armour, and weapon, within the Countie where such Sessions shall be kept, by inquisition; presentment, Bill, or information before them exhibited, or by examination of two lawfull Witnesses at their discretion, and to awarde proccesse against them as if they were indicted before them by verdict &c. And vpon the conviction of the offender by information or suite, or any other then the Queene, to make estreats of the one moiety of the forfeitures, to be levied to the vse of the Queene, and to awarde execution of the other moiety to the vse of the complainant or Informer, against the offender by fieri facias, or capias, as the Queenes Justices at Westminster may doe; and if the conviction shall be onely at the Queenes suite, the whole forfeiture shall be estreated only

Armour.

Iustice of peace.

onely to her use. But he that is once convicted for any of the sayd offences, shall not be estones troubled or convicted for the same. 4. and 5. *P. and Q.* 2. *S. Armour.*

spellers.

26 *¶* All Iustices of assise in their circuits, & al Iustices of peace within the limits of their commissions in their assises and sessions, shal and may from time to time enquire, heare, and determine every of the offences committed contrary to the act provided 4. & 5. *P. and Q.* for the taking of misseters within the precinct of their commission, and if any person shal be before them presented or indicted of any of the sayd offences, then the sayd Iustices shal, and may award such pproces against every such person so indicted, as vpon indictments of trespass is vble to be made, & if any such person so indicted do appeare, and confesse the same, or plead the same indictment, & after by verdict of xii. men shalbe convicted, then the said Iustices shal and may award such person to prison, there to remaine without bayle or mainprie, until he hath payd the one moiety of the forfe. specified in the said act, unto the Queene, & the other moiety unto him, by whose evidence he shalbe convicted, and if such conviction shalbe without evidence openly given by any person, then the party convicted shal remaine in prison until he hath satisfied the whole forfe. unto the Q. 4. & 5. *P. & Q.* 3. *S. Capraines 12.*

*Transporting
of victuals.*

27 *¶* All and singular Iustices of peace, aswell within liberties, as without, within their severall authorities (at anytime within thre yerres next after such offences committed) have power to enquire, aswell by the oathes of xii. lawfull men, as also to heare and examine the masters and mariners of the Ships, Crayers, and every other person of all and singular the offendours against the act provided 1. & 2. *P. & Q.* for the restraining of carrying Coine, Beere, Butter, Cheese, Herring, and wood beyond the sea, and to heare and determine the same offences, as they may and oughte to heare and determine any other trespasses or offences. 1. and 2. *P. and Q.* 5. And Iustices of peace in their quarter Sessions, or the greater part of them, may by their writings, vnder their hands and seales make any determination to the contrary of that, which before was determined by the Iustices of assise, for the transporting of coine, or restraint thereof, if they shal finde the same to be hurtfull to the countrey by the meanes of dearth, or too much cheapenes, and to cause their determination to be ppoelained. 13. *El.* 13. *S. Corne. 7.*

spilly Rine.

28 *¶* Iustices of peace have power at their general Sessions to heare and determine the offences committed contrary to the Statute provided for the keeping of milch Rine, and for the breeding and rearing of calves, by Bill, Information, Presentment, A. of debt, or detinue, and every person that will, may sue for any penaltie forfeited by the sayd Statute, within one yere after the offence committed, before the Iustices of peace, in the same Shire, where such cause of forfeiture shal be had, at the generall sessions, wherein no *W. &c. E. P.* or licence to the contrary, shal be allowed.

2. and

2. and 3. D. and 99. 3. An. 13. Cl. 5 S. Cartell. 3.
 29. **T**he Justices of peace of every shire within this Realme, within
 the limites of their commission, haue authoritey at every of their generall sessi-
 ons, to inquire, heare, and determine the offences of those which shall kill, or
 cause to be killed any mainlings under the age of two yeeres, to the intent
 to make sale thereof, as well by information, or presentment, as by bill or
 plaint, wherein no **T**ra. or. **E**. p. 14. D. 8. 9. 27. Cl. 11 S. Butchers. 3.
 30. **E**very shire of this Realme within the li-
 miting of

Drilling of Salvage.

Foysallers.
Regatoys,
Engroffers.

Recognition of Badgers, Beavers.

**Licence of baby
gates and bicy-
cles.**

Justice of peace.

Bill of information before them exhibited, and by examination of two lawful witnesses, or by any of the sayd wayes by the discretion of the sayd Justices, and to make proces thereupon, as though they were indicted by inquisition or verdict, and vpon the conuiction of the offender, by any infoz. or suite of any other then the Queene to make extracts of the moiety of the for. to be leuied to the Queenes vse, as they doe of other fines &c. growen in sessions, and to award execution of the other moiety, for the compl. or infoz. against the offender, by Peri facias or Capias, as the Queenes Justices at West. do, And if the conuiction be at the Queenes suite onely, the whole for. shalbe extracted and leuied to her vse only. 5. Cl. 12. S. Badger &c.

Unlawfull taking of fish, Peace, or Haukes.

34 Justices of Oier and determiner, Justices of Assise in their circuits, Justices of Gaole deliuerie and Justices of peace in their Sessions, haue authoritie to enquire, heare and determine all and singular the offences committed contrary to the statute provided. 5. Cl. for the punishment of vnlawfull taking of fish, deare, haukes, and to award proces thereupon, as well vpon Indictments taken before them as by bill of complaint, information, or any other action, wherem no W. E. P. &c. If any person shall be bound before any of the sayd Justices to the Queene for his good abearing for seuen yerres, according to the tenour of the sayd Act, and the same party shall afterward within the vii. yerres, come before the Justices of peace, of the County where the offence was committed, or some of them in open Sessions, and there confesse his offence, and be sozr therefore, and satisfie the party griued, according to the tenour of the sayd Act, then the same Justices haue authoritie in the same, or any other open Sessions within the sayd e terme of vii. yerres, if it shall seeme good to their discretions, to discharge the said recognisance and band, and the party so bound. 5. Cl. 11. S. Fish, 7. Forests, 3. Haukes, 1.

Buckstalls, Stalking.

Taking of Herons.

35 Two Justices of peace in their Sessions, haue authoritie to call before them any person hauing no Parke, Chace, or Forest of his owne, which keepeth, or causeth to be kept any deare hapes, or Buckstalles, or which stalketh with any bush or beast to any Deare, being in any Chace, Parke, or Forest sauing in his owne, without licence of the owner, master of the Game, or keeper of the same Forest &c. or which killeth, taketh, or causeth to be taken any Herons (except by hauking or with long bowe) or taketh any pong Herons out of the nest, without licence of the owner of the ground where the nest is, and by their discretions to examine him in the premisses. And if the party examined be found in default contrary to the premisses, then he shalbe committed to prison vntill he hath found suretie for payment of the forsaiture to the Queene. And the Justices that examine him shall haue the tenth part of euery such for. for their labour. An. 19. H. 7. 11. See Hunting. 3. 4. Herons, 1. 2.

Hunters.

36 Justices of peace may and shal inquire of all lay men hauing not lands to the value of xl. s. by the yeere, and of all Clerkes, not having living

lining to the value of x. li. by the peere, which doe keepe any dogges to hunt, or doe use ferrets, hapes, nets, harepipes, coys, or other engins to take or destroy beare, hares conies, or other gentlemens games, and shal punish them by one whole yeres imprisonment. 13. R. 2. 13. S. Hunters, 1.

37. Justices of peace within every shire, at every sessions of the peace haue authority to enquire of such as do trace, destroy, and kill any hare in the snowe, with any dogge, bitch, or otherwise, and after such inquisitions found, the sayd Justices shall assesse vpon every such offender vi. s. viii. d. to be forsaynt to the Queene. 14. H. 8. 10. See Hunters, 2.

Tracing of
Hares.

38. Justices of peace haue authority to heare & determine aswell by inquisition as information, and proofes, the offences of al those, which shall take or cause to be taken any Felants or Partridges, by nettes, snares or other engines, out of their owne Warren, vpon the freeholde of any other person without the licence of the owner or possessor. 11. H. 7. 17. See Felants. 1. And the Justices of Assise in their circuites, and Justices of the peace in every shire, Countie, and Towne Corporate, within this Realme in their Sessions, within the seuerall limittes of their Commission shall and may enquire, heare and determine of all and every offence or offences which shall bee committed within the precinct of their Liberties, Jurisdictions or Fraunchises, against the tenour of the Acte provided 23.

Felants.
Partridges.

El. for the preservation of Felants and Partridges. And every Justice of peace within every County of this Realme shall within the limits of his commission haue power to examine all offenders in any article of the same Statute within the County where he is or shall be Justice, if so be that the sayd offence or offences shall not before bee heard or determined by the Justices of assise in their circuites, or by the Stewards of Leetes, Liberties, or Lawdayes within their seuerall Jurisdictions, and also to take bande with good sureties for his and their apparance that shall so offend to appeare at the next generall Sessions of the peace to be holden within the same county where the same offence shalbe committed to answer the sayd offence, and to pay the penalties or receive the punishment by this act appoynted. 23. El. 10. S. Felants &c. 2. 3. 4. 5.

Examining of
offenders.

39. Justices of peace haue authority, to heare and determine aswell by inquisition, as information, and proofes, the offences of all them, which shall take, or cause to be taken the egges of any Faulcons, goshaukes, laners, or swannes, out of the nest, or shall take any eirer, falcon, goshauke, tereel, laner, or laneret, or purposely drive them out of their couerts accustomed to breede in, or cause them to go to oher couerts to breede, or kill them for any hurt by them done. 11. H. 7. 17. See Haukes, 3. 4.

Haukes egges;

40. Justices of peace in their Sessions, Justices of Oier & Determiner, and Justices of assise in their seuerall circuites haue authority to inquire, heare and determine all offences committed contrary to the Statute provided 1. El. touching the taking, killing, or destroying of Fish or Frie,

Destroying of
fish.

and.

Iustice of peace.

and Spawne (which be not presented at the Leete, where they shal be committed) within one yeere next after the offence committed. 1. *El.* 17. 27. *El.* 11. 31. *El.* 10. *S. Fish.* 3. 4. *Leete.* 6.

Conservatoys
of Salmons.

41 ¶ The Iustices of peace of all the Countieys of England shal bee conservatoys of the Statute provided 13. *Ed.* 1. and 13. *R.* 2. for the preservation of Salmons, in the Countieys where they be Iustices. And they and euery of them, at all times when they may attend, shal suruey the offences attempted against the sayd Statutes, And shal suruey and search all the Weares in such Riuers, that they shal not bee very strait for the destruction of Frie and hood, but of a reasonable widenesse after the olde assise accustomed, and if any of them shal finde default against the sayde Statutes, he shal punish the offendour according to the content of the same Statutes. And the same Iustices, shal appoynt vnder them good and sufficient vnderconservatoys which shal be sworn to make like surueying, search, and punishment, without any fauour shewed. And the same Iustices in their Sessions, shal enquire as wel by their office, as at the information of the sayde vnderconservatoys, of all trespasses and offences committed against any poynnt of the sayde Statutes, and shal cause them which be thereof indicted, to appeare before them: And if they be thereof convicted, they shal be imprisoned, and make fine after the Iustices discretion, and if the same be at the information of any of the vnderconservatoys, he shal haue the one halfe of the same fine. 17. *R.* 2. 9. *S. Fish.* 1.

Vnderconser-
uatoys sworn

Apparel.

42 ¶ It is lawfull to Iustices of peace in their Sessions, the Sheriffe in his turne, the Steward in any Leete or Lawday, the Aldermen in their Wardes, and to al other persons hauing authoritie to enquire of bloodshedde and frapes, to enquire of euery of the offences and forsaepures committed against the Statute provided 24. *Hen.* 8. for the reformation of excesse in apparel, and the parties offending the sayd Statute and presented, shal make fine, in maner and forme and after the rate expressed in the sayd Statute 24. *H.* 8. 13. And also Iustices of Assises in their circuits, and Iustices of peace in their Sessions, shal and may enquire, heare and determine from time to time, all and euery the offences committed within the limits of their Iurisdiccions contrary to the Statute provided. 1. & 2. *P.* & *P.* for the befozation in excesse of apparel. And they haue authoritey vpon the conviction of euery offender, to award proccesse to the Sheriffe of any Shire within this Realme, for the apprehension of the sayd offender which being apprehended shal be committed by the Sheriffe to the prison of the sayd Shire, until he hath paid the forf. by the said Statute appointed. 1. and 2. *P.* and *P.* 2. *S.* Apparel.

34 ¶ Al Iustices of peace in euery Shire, where any offence shal be committed contrary to the true intent of the act made 27. *H.* 8. (wherby religious houses of Monks, Chanons, & Nuns which might not dispend in lands &c. above the cleare peerele value of two hundred pound were giuen to the
said

said King H. 8. his heires & successors for ever. And whereby al persons and
 bodies politike and corporate, to whom the said King, his heires or succeſ-
 ſors ſhould give, graunt, let, or demise any Scite or precinct, with the hou-
 ſes thereupon builded, with the demesnes of any of the said religious hou-
 ſes, by that act diſſolved, bee bound to keepe, or cauſe to bee kept an honeſt
 continuall houſe and houſhold in the ſame Scite or precinct, and to occupie
 yeerely aſmuch of the demeanes, in ploughing and tillage of Husbandrie
 which then were commonly uſed to bee kept in tillage by the gouvernours,
 Abbots &c. of the ſame houſes, or by their ſermoꝝ or ſermoꝝs, occupying the
 ſame within xx. yeeres next before the ſaid act, vnder the paine to forfeite to
 the king, for euery moneth offending vi. pounde xiiij. s. iiii. d.) ſhall in euery
 quarter and generall Sessions, within the limites of their commiſſion, in-
 quire of the premisses, and haue full power and authoritie to heare and de-
 termine the ſame, and to take and aſſeſſe no leſſe fine for euery of the ſaid of-
 fences then is before limited for the ſame. And the eſtreates thereof ſhalbe
 certiſied into the Eſchequer according, and at ſuch time and ſoyme, as other
 eſtreates of fines, iſſues and amerciaments bene, made by the ſaid Juſtices.
 27. H. 8. 5. Cl. 2. S. Husbandrie 9.

Tillage.

44 ¶ It is lawfull to all Juſtices of peace in their Sessions to inquire,
 heare, and determine euery offence committed contrary to the tenour of the
 ſtat. made 33. H. 8. concerning Crollebowes and handgunnes, ſo that al-
 wayes no leſſe fine then x. pound be aſſeſſed vpon euery preſentment, & con-
 uiction made, according to the due courſe of the law, the ſame fine vpon e-
 uery ſuch preſentment and conviction, to bee leuiſed onely to the Queeneſ
 uſe. And if any Jury ſwoꝝne and charged to enquire for the Queene, of any
 offences committed contrary to the ſaide ſtatute doe wilfully concale any
 of the ſaid offences, then the Juſtices before whom any concalement ſhall
 be had, haue authoritie to charge & ſwear another Jury, to inquire of euery
 ſuch concalement, & if ſuch concalement be found and preſented by the ſaid
 Jury, then euery of the ſaid Jury ſhall forfeite for euery ſuch concalement
 of euery offence xx. s. to the Q. And euery Juſtice of peace, vpon due exami-
 nation and prooffe before him made of any perſon offending contrary to the
 ſoyme and effect of the ſaid ſtat. and arreſted and brought to him by any o-
 ther perſon, perceiuing any ſuch perſon to offend, hath power to commit
 the ſame offender to the next Gaole, there to remaine vntill ſuch time as the
 penaltie ſpecified in the ſaid ſtat. ſhalbe truly paid by the ſaid offender: the
 one moiſte to the Q. and the other to the firſt bringer of the ſaid offender to
 the ſame Juſtice. But if the preſentment, ſuit or puniſhment for any thing
 forfeited by the ſtat. to the Queene, be not commenced, or made within one
 yeere next after the offence committed, the ſaid offender ſhalbe thereof cleere-
 ly diſcharged. 33. H. 8. 6. S. Gunnes.

Crollebowes.
Handgunnes.

45 ¶ Juſtices of aſſiſe in their circuittes, and Juſtices of peace in their
 ſeſſions, ſhal and may enquire, heare, and determine al & euery the offences

Cappes.

committed within the limits of their authorities, contrary to the Stat. provided 13. El. for the continuance of making of Caps. 13. El. 19. S. Hats 113.

Craving.

46. **I**ustices of peace haue power to inquire and determine all the offences committed contrary to the Stat. provided 8. H. 5. concerning the giting of mettall, and other things. 8. H. 5. 3. S. Gold 71.

Breeding of
Horses.

47. **I**ustices of peace in euery shire, Riding and other place in their quarter Sessions, haue authority to inquire of all defaults, contempes, omissions and offences, contrary to the effect of the Stat. provided 32. H. 8. concerning the breeding of horses of higher stature: And to heare and determine euery presentment found before themselves, or found in any Leetes of Latwapes, and presented and certified vnto them by p. Steward, Depuie of court holder of the same Leete of Latwape, as well by examination as otherwise. And the one halfe of al forfeitures specified in the said Stat. shalbe to the D. and the other to the person that will sue for the same, before the same Iustices, by B. J. c. 32. H. 8. 13. S. Horses. 3. 4. 5. 6. 7. 8. 9.

Keeping of
Horses.

48. **T**he Iustices of assises and Iustices of peace haue power within the limits of their authority, to heare and determine the defaults done contrary to the statute provided 33. H. 8. concerning the keeping of great horses, as well by presentment as by information before them, as in other cases of trespasses and contempes done against the forme of any statutes, and shall set no lesse paine vpon such persons, as shalbe convicted, by confession or triall for offending the said Act, then in the said Act is limited. 33. H. 8. 9. S. Horses. 10. 11. 12.

Transporting
of Horses.

49. **I**t is lawfull to the warden and wardens of the East, West, and midole marches for the time being, in their warden courts, and to the Iustices of peace in euery shire as well in England as in Wales, in their quarter sessions, to enquire of all offences committed contrary to the act ordeined 1. E. 6. that no horses should bee conveyed out of this Realme and other the Queenes dominions without licence. 1. E. 6. 5. S. Horses 14.

Horsehead.

50. **I**ustices of peace in euery shire, liberty or franchise, within this Realme, haue authority to enquire, heare, and determine the defaults and offences of Hostlers, and Inholders baking horsehead, which is not sufficient, lawfull, and of due assise according to the price of corne, and to set such fines, and make like proces thereupon, as they commonly vse to doe vpon presentments of trespass against the peace. 32. H. 1. 41. S. Inholders 23.

Leather.

51. **A**ll Iustices of Assises, Iustices of Gaole deliuary, and Iustices of peace shal enquire, heare and determine in their sessions, al offences committed within their seuerall precincts, liberties and Iurisdictions, contrary to the Statute provided 5. Eliz. touching Tanners, Curriers, Shoemakers, and other Artificers occupying the cutting of Leather, and also shall by their discretions examine all persons suspected to offnd the said act, or any parcel thereof. 5. El. 8. S. Leather.

52. **A**l Iustices of the Kings bench, & of the Common place, Iustices of

of Assise and Gaole deliuey, and Iustices of peace haue power in their Countrey, to enquire, heare and determine all defaultes and offences committed by any person within the limits of their commission, contrary to the Statute provided 23 Hen. 6. for the leuying, and paying of the wages of the Knights of the Parliament as wel by enquire at the Queenes suite, as by action at the parties suite, 23 H. 6. 1. S. Parliament 12.

Wages of
Knights of the
parliament.

13. **I**ustices of peace in euery place and Countie, as wel within liberties as without, haue authoritie in their Sessions, within the limits of their authoritie and commission, to enquire, heare and determine al offences committed contrary to the Statute provided 2. & 3. H. 8. against the buying of stolen hoxses, as they may do any other matter triable before them, and euery person that wil, may sue for any summe forfeited by the said Stat. before the Iustices of peace. 2. & 3. H. 8. 7. S. Faires 4. 5. 6.

Stollen hoxses,

14. **A**s wel the Iustices of Assise for the time being, as also two Iustices of peace in euery Countie, citie, Borough, Towne & Franchise, where of one to be of the Quorum, haue authoritie to conuent by proceffe or otherwise, to the generall Sessions, any person being suspected of any deceitfull getting into his hands, any money, or other things of any other persons, by colour of any false token, or counterfainte letter made in any other mans name, and to commit him to ward, or let him to baile, vntill the next generall Sessions, and there to be further ordered by their discretions, that is to say, he shal suffer such correction by imprisonment, setting vpon the Willor, or by any corporall punishment, (paines of death except) as shal be appoynted by the said Iustices. 33 H. 8. 1. S. Counterfeiting, &c.

Counterfai
ring letters,
tokens.

15. **I**ustices of peace in euery County, haue power to enquire of all false makers of Arrowheads and Quarrels, and to punish them according to the Stat. in that case provided. 7 H. 4. 7. S. Arrowheads, &c.

Arrowheads.

16. **A**ll and singular Iustices of Assise, & Iustices of peace, haue authoritie to enquire, heare & determine at al and euery their Sessions, al and singular offences committed by artificers, workmen, labourers & vicailers, against the Stat. for them provided 2. Ed. 6. and to punish the offender, according to the tenor of the same Stat. 2. Ed. 6. 13. S. Artificers 1. 2.

Artificers.

17. **I**ustices of Oyer and determiner, Iustices of assise in their ciuities, and Iustices of peace in their quarter Sessions, haue authoritie to heare and determine all offences committed, contrary to the true intent and meaning of the Stat. provided 18. El. to redresse disorders in common informers vpon penall lawes, 18. El. 5. 27. Eliz. 10. S. Actions popular 3. 4. 5. 6. 7. 8.

Informers.

18. **I**ustices of peace in euery countie, haue power to enquire, heare and determine, as wel at the suit of the D. as of him which will sue, of anie thing committed contrary to the Stat. provided against purueiers which wil take or buy any thing of the value of xl. s. or vnder, of any of the Queenes large people, without making ready payment in hand for the same, against

Purueiers.

constables, tythingmen, and chiefe pledges, which vpon request doe not assist the owners to withhold and resist such purueyours and buyers, & against such of the D. officers, as doe procure any of the Queenes people to bee arrested, impleaded, or vexed, for such withholding, or not suffering &c. and thercof to make due punishment and execution, and to awarde damages to the plaintife, when the defendant is duly conuict, 20. H. 6. 8. S. Purueyours 32.

Purueyours.

59. **C** Justices of peace haue power to enquire, and hold plea of any offence committed by any of the Queenes Purueyours, or other which doe buy or take coyne, by any other measure, but by the striked bushel, & viii. of them for the quarter, or which do take carriage therfore, and do not make readie payment, and thereupon aswel at the D. suit, as at the parties, to punish the, according to the stat. in that case prouided. 1. H. 5. 10. S. Purueyours, 16.

Purueyours.

60. **C** The Chancelour or his vice chancelor, or commissary for the time being, in either of the Uniuersities of Cambridge and Oxforde, with two Justices of peace, of the counties wherein the said Uniuersities be set, haue power to enquire by the othes of xii. men, of and vpon the defaultes and offences committed contrary to the statutes (or beeing in what cases Purueyours may take vicalles within v. miles of Cambridge and Oxforde, and in what they may not) and to see due punishment and reformation thereof, according to the said stat. 3. & 3. H. 6. 15. 13. Cl. 21. 31. Cl. 10. S. Purueyours 32.

Linnen cloth.

61. **C** All and every Justices of Oyer and determiner, and Justices of assises in all their Sessions, and all Justices of peace in every Countie, and place of this Realme, or thre of them at the least, whercof one to be of the Quorum, haue power to enquire, heare and determine in their Sessions, of all persons which doe wittingly vse any deceitfull act or meane with linnen cloth, whereby the same is made worse for the vse thereof, by Information, Indictment, or vpon the Traitercof any presentment or indictment found before them or any of them. And the Justices before whome any offence shalbe found, shal certifye the same by estreat into the Exchequer at Michaelmas &c. 1. Cl. 12. S. Linnen cloth. 2.

Pewter.
Halls.

62. **C** The Justices of peace, within every shire, at the generall Sessions holden at Michaelmas, shal appoint two certaine persons, hauing experience in pewter and brass, to make search therein &c. in every part of that shire, aswel within franchise as without (sauing in titles or boroughs, where searchers be appointed by the gouernours of the same.) 19. H. 7. 6. 4. H. 8. 7. S. Pewterers.

Artillerie.
Butts.
Bowes.

63. **C** Justices of assise, of Gaole deliurery, and Justices of peace haue power to inquire in their sessions of all and every branch of the statute prouided 33. H. 8. for the maintenance of artillery, of butts, and for the making and selling of bowes, & to heare and determine the same, & also by their discretions to examine all persons lacking and not hauing bowes & arrows, according

according to the said stat. 33. H. 8. 9. S. Archerie, Bowes. 3. 4. Buttes 1.

64 **I**t is lawful to all and euery the Iustices of peace, in euery Shire, Maioz, Sherifes, Bailifes and other head officers within euery Citie, towne, and borough within this Realme, from time to time, as wel within liberties as without, as need and cause shall require, to enter and resort into all and euery houses, places, and Alleys, where vnlawfull games shalbe suspected to be vsed contrary to the statute in that case prouided, And aswell the keepers of the same, as also the persons there haunting, resorting, and playing, to take, arrest, and imprison, and them so taken and arrested, to keepe in prison, vnto such time, as the keepers and mainteiners of the said playes and games haue founde sureties to the Queenes vse, to be bounden by recognisance, or other wise, no longer to vse or occupie any such house, play, game, alley or place. And also the persons there so founde, shall in like case be bound by themselves, or els with sureties, by the discretion of the Iustice, Maioz, Sherifes &c. no more to play, haunt, or exercise, from thenceforth to any of the said places, or at any of the saide games. And all Iustices of peace, Maioz, Sherifes &c. & euery of them finding, or knowing any person vsing any vnlawfull games contrary to the said stat. haue authoritie to commit euery such offendor to ward, there to remain without baile or mainprise, vntil such time they so offending, be bound by obligation to the Queenes vse in such summe of money, as by the discretion of the said Iustices, Maioz, Bailifes &c. shalbe thought reasonable, that they or anie of them, shall not from henceforth vse such vnlawfull games. And the Iustices of peace shal cause the stat. prouided against vnlawfull games, and for the maintenance of Artillery, to be openly proclaimed in their seuerall sessions before them holden. 33. H. 8. 9. S. Playes and Games.

Unlawfull
games.

65 **I**ustices of peace in their sessions, haue power to enquire, of al attachments made by the officers of the courts of the Eastmarches or Westmarches, out of any of the counties of Westmerland, Cumberland or Northumberland, or the town of Newcastle vpon tyne, & therein to proceed, as they may vpon presentments taken before them in their sessions, of trespass, or affraies made against the Q. peace. 31. H. 6. 3. S. Marches 1.

Attachments
in the mars
ches.

66 **I**ustices of peace of euery Shire, Riding, and liberty, within the limites of their seuerall commissions, or the moze part of them, being then resident within the same, and the Sherife of the Countie (if he conueniently may) and euery Maioz, Bailife, or other head officer, within any Citie or towne corporate, wherein is any Iustice of peace, within the limites of the said Citie, Corporation &c. shall yearely at euery generall Sessions, first holden after Easter, or within sixe weekes next after Easter, assemble themselves together, and calling vnto them such graue and discrete persons of the sayde Countie, Citie, Towne, &c. as they shal thinke meete, and conferring together, respecting the plentie or scarcitie of the time, and other circumstances necessary, shall haue authority within the limites of their

Labourers.

parishes

Iustice of Peace.

**Rating of
wages.**

seuerall Commissions, to limit, rate, and appoint the wages of artificers, handicrafts men, husbandmen, labourers, seruants, workemen, apprentices of husbandry &c. as they shall thinke meete to be rated, limited &c. by the pere, or by the day, weeke, moneth, or otherwise, with meate and drinke, or without, and what wages euery workeman and labourer shall take by the great, for mowing, making, reaping, or the thing of Corne, and Hay, or for Ditching, Paling, Raling, or hedging by the Rod, Perche, Lugge, Parde, Pole, Rope, or foote, or for any other kinde of reasonable labours, or seruice. And shall yeerely before the twelfth day of July next after the saide rates so appointed, certifie the same ingrossed in parchment, with the causes thereof, vnder their handes and seales into the Chauncerie, whereupon it shall be lawfull to the Lorde Chauncelour or Keeper &c. vpon declaration thereof to the Queenes maiestie or Lordes &c. of the Priuie Counsel &c. to cause to be printed and sent downe, before the first of September next after the said Certificat, into euery Countie, to the Shirisfe and Iustices of peace there, and to the Maior, Bailifes &c. certaine proclamations conceyning the seuerall rates appointed by the Iustices &c. with commaundement to all persons in the Queenes name, to obserue the same, and to all Iustices, Shirisfes &c. to see them duely obserued, which Proclamations shall be entered of record, by the Clarke of the peace, or by the Clarke of the citie, town &c. And shalbe proclaimed in euery Citie and market towne, vpon the market dayes before Michaealmas, and fixed in some open place &c. And if the said Shirisfes, Iustices, Maiors &c. shall at their said Sessions, or at any time after within vi. weekes, vpon their assembly and conference together, thinke it conuenient to reteine for the yeere to come, the rates of wages, that they certified the pere before, or to change or refoyme them, or some part of them, then they shall before the twelfth day of July yeerely certifie into the sayde Chancery, their determinations therein, to the intent that Proclamation may be accordingly renued and sent downe. And if there be no neede of refoymation, or alteration of the rates of wages, but that the former shall continue, then the proclamation for the yeere past shall remaine in force, vntill new proclamations vpon new rates shalbe sent downe. 5. El. 4.

**All the Iustices
shal assemble
at the rating
or altering
of wages.**

67 **I**f all the Iustices of peace resident within the Countie where they be Iustices, and the Maiors, head officers &c. doe not yeerely assemble at the generall Sessions holden after Easter, or within fixe weekes next after, and limite and rate the wages of seruants and Labourers, or shall not consider whether the former rates made, be meete to be continued, or to be altered and refoymed, or be negligent in the certificate thereof: Then euery such Justice, Maior &c. in whom any such default shalbe found, being within the said Countie, Citie, towne &c. at the time of the saide Sessions, or at the time of the saide rates of wages to be set, within fixe weekes next after such Sessions, and not visited with any such sickness, as he could not trauele thither without danger of his life, or not hauing any other good excuse to be allowed

allowed by the Justices then assembled for the rating of wages, or by the more part of them, (upon a corporall oth, & Affidavit, to be openly taken before the Justices upon the holy Evangelists, by some credible person assessed in the booke of Subsidie of that County to v. li. at the least, or by such other person, as the most part of the Justices shall allow to take such oth) shall forfeit for every such default and negligence unto the Queene x. li. 5. Cl. 4.

68 The Justices of peace of every Countie, dividing themselves into severall limites, and every Maior and head Officer of any citie, Towne Corporate &c. shall peerely betweene the feasts of S. Michael, and the nativite of our Lord, & betweene the feasts of the Annunciation of our Lady, and of S. John Baptist, by all such wayes and meanes, as to their wisdomes shall be thought meete, make a speciall and diligent inquiry of the branches and articles of the statute made 5. Cl. for artificers, labourers, servants of husbandry, and apprentices, and of the good execution of the same, and where they shall finde any faultes, to see the same severely punished without favour or displeasure. And the said Justices or two of them, wherof one to be of the Quorum, and the presidents and counsell established in the Marches of Wales, and the North, and the Maior and head Officers of every citie, towne corporate &c. have power to heare and determine all offences committed against the foresayde Stat. or against any branch thereof, as well upon indictment to bee taken before them in the sessions of the peace, as upon action of debt, or bill of complaint, to be sued by any person, and shall and may make procs against the defendant, and award execution, as in other cases they may, and shall certifie the estreats in Michaelmas terme into the Exchequer. And every Justice of peace, Maior, Bailife, and head officer, shall have for every day that he shall sit in, and about the execution of this Stat. allowed unto him v. s. of the fines and forfeitures of the penalties due to the Queene by force of the said Stat. in such maner, as the said Justices have bin commonly paid for their coming and charges at the quarter sessions, so that the sitting of the said Justices, Maior, &c. be not at any time above 3. daies, for matters contained in this Stat. 5. Cl. 4. S. Laborers.

Inquir of the execution of the Stat. of labourers.

Every Justice allowed v. s. a day.

69 The Justices of peace, of every place, or county, in default of inquiry or presentment thereof made within the precinct of any Leete, have authoritie to enquire of all the offences committed within the limites of their commission, contrary to the statute provided 2. and 3. Id. and Id. for the amending of high wayes, at their quarter Sessions, and to assesse such fines therefore, as they or two of them, wherof one to be of the Quorum shall thinke meete: And the clerke of the peace shall make estreats indented, of the fines, forfeitures & amercements, for the defaults presented before the said Justices, and shall deliver the one part thereof sealed and signed by him to the Bailife or high Constable of every hundred, rape, lath, or wapentake, wherein the defaults shall be presented, and the other halfe, to the Constables and Churchwardens of the Parish wherein the defaults were made,

High wayes.

Iustice of Peace.

to be yeerely deliuered within five weekes after the feast of Saint Michae-
el. 2. and 3. P. and P. 8. 5. Cl. 13. And the Supersiour appointed for the
amending of high wayes, within one moneth after any offence committed
contrary to the true meaning of either of the said statutes, shall present eu-
ery such offence to the next Iustice of peace for the time being, which Iustice
shall certifie the same presentment at the next generall sessions within the
said Countie, vpon paine to forsaite for euery offence not certified v. li. And
the Iustices of peace of euery Countie where such offences shalbe commit-
ted, haue authoritie to enquire thereof, within the limites of their Commis-
sion, at euery their quarter Sessions, and to assesse such fines for the same,
as they or two of them (whereof one to be of the Quorum) shall thinke meet.
And euery Iustice of peace hath authority vppon his owne proper know-
ledge, in the open generall Sessions, to make presentment of any high
way not well and sufficientely repaired, or of any other default, or offence
committed within the limites of his Commission, contrary to the prouision
or intent of either of the foresaid statutes, and euery such presentment shalbe
as good, and of the same force in the law, as if the same had bene presented
and adiudged by the othes of xii. men, and for euery default so presented, the
Iustices of peace of the saide Countie, shall immediately at the saide gene-
rall Sessions, assesse such fines, as to them or two of them, whereof one to
bee of the Quorum, shall be thought meete, sauing to euery person touched
by such presentment, his lawfull trauesse to the same presentment, as they
might haue vpon any indictment of trespasse, or forcible entry by the lawes
of this Realme. 5. Cl. 13. And all and euery Iustices of assise, Iustices
of Oyer and terminer, and Iustices of peace, in their sessions, shall heare
and determine euery offence, matter and cause, that shall growe or arise by
reason of the stat. prouided 18. Cl. for the amending of high wayes. 18. Cl.
9. S. Highways.

Bridges.

70 ¶ The Iustices of peace, of euery Shire of this Realme, Fraun-
chise, Citie, or Borough, or foure of them at the least, whereof one to bee of
the Quorum, haue power to enquire, heare and determine in the generall
Sessions, of all maner of auoyances of bridges broken in the high wayes,
and of all auoyances of high wayes, which lye next adioynning to the ends
of Bridges, and being distant from the sayde ends CCC. foote, to
the dammage of the Queenes people, and to make such proccesse and pains
vpon euery presentment before them made, for the reformation of the
same, against such as ought to bee charged for the making or amen-
ding of such Bridges or highwayes, as the Queenes Iustices of her
Bench vse commonly to doe, or as it shall seeme by their discretions
necessarie and conuenient for the speedie amending of the same, and where
such decayed Bridges, or high wayes lie in one shire or Riding, or within
a Citie or Towne Corporate, and such persons, bodies politique, landes
or tenements, which ought to bee charged to the making and amending
thereof,

thereof lie and abide in another, or out of the sayd City or Towne corporate, the Iustices of the Shire, City or Towne corporate, within which the sayde decayed Bridges or high wayes or any part thereof shall bee, haue power to enquire, heare, and determine all anoyances within the limits of their Commissions, and to make Proccesse into euery Shire within this Realme, against such as ought to amend such Bridges or high wayes, presented before them to be decayed, and to doe further in euery behalfe, as they might do by this Act, in case the persons lands &c. which ought to bee charged were in the same Shire, Riding, City or Towne corporate where the anoyance is. The Iustices of peace or foure of them at the least, whereof one to be of the Quorum, of the Shire, Riding, or of the City, Towne corporate &c. shall call before them the Constables, or two inhabitantes of euery Towne and Parish, within the Shire, Riding, City or Towne Corporate, as well within Liberties as without, wherein such byldges, or any parcell thereof be, and with their assent, shall take euery inhabitant in euery such City, parish or towne, to such summe of money, as they shal thinke conuenient for the amendment of decayed byldges, where it cannot be knownen and proued, what persons lands, tenements, or bodies politique ought to repay the sayd byldges, and the sayd Iustices shall appoynt two Collectors for the gathering of the money so taxed, and two Surueyors to see the decayed byldges repayed, and shall call the same Collectors and Surueyors to accompt. 22. H. 8. 5. S. Bridges. 2. 3. 4.

71 The Iustices of peace of euery Shire, City, Borough, Towne corporate, Franchise or Liberty, or two of them at the least, whereof one to be of the Quorum, shall haue authority within the limits of their iurisdiction, to discharge common selling of Ale and Beere, in common Alehouses and tippling houses in such townes and places, where they shall thinke meete, and none shal keepe any common alehouse &c. but such as shalbe admitted in the open Sessions, or by two Iustices, whereof one to be of the Quorum, which shall take band and surety by Recognisance of such as bee admitted, against vsing of vnlawfull games, and for the mayntenance of good order, and for the making of enery such recognisance shall take but twelue pence. And the Iustices where such Recognisance shall be taken, shal haue authority in their quarter Sessions to inquire by presentment, information or otherwise by their discretion, of all such persons as bee allowed to keepe Alehouse &c. and that be bound by recognisance, if they haue done any Acte, whereby they haue forfeited the same, and to awarde procces against euery person so presented, or complayned vpon, to shew why he should not forfeite his recognisance, and to determine the same, as by them shalbe thought good, and they shall commit euery person to the common gaole of of the same Shire, city, borough &c. which keepech common Alehouse, being not admitted in forme abovesaid, or commanded to the contrary, there to remaine for thre dayes, and before his deliuerance, shall take recogni-

Justice of peace.

Certificate of
recognisance
for Alehouse.

recognisance of him with surties, that he shal not keepe any common ale-
house. And the said Justices shall make certificate of every such recogni-
sance and offence, at the next quarter sessions, which certificate shalbe a suffi-
cient conviction in law of the same offender. And if any Justice of peace do
take a recognisance of one which is allowed to keepe a common Alehouse
or tippling house, against the using of unlawfull games, and for the mainte-
nance of good order, and do not certifie the same at the next quarter Sessi-
ons to be holden within the same shire, City, Borough, Towne corporate,
franchise, or liberty &c. he shall forfeite to the Queene for every offence three
pound, vi. s. viii. d. 5. Ed. 6. 25. See Alehouse. 1. 2. 3.

Poor people.

72 **T**he Justices of peace in all shires in England, shal in their quar-
ter Sessions next after Easter, perely examine the performance, or not per-
formance of the statute provided 14. El. for the reliefe of the poore and im-
potent, according to the tenor thereof, as they are bound to do the Stat. of La-
bourers. And at their quarter Sessions shal perely appoint new collectors,
and new overseers, for the causes in the sayd Stat. limited, and shal then also
agree vpon new viewes and searches of the sayd impotent people, within
every their limits for the yere following, if neede shalbe. And further at
their sayd Sessions, shal take order for all and every thing that may in any
wise further the intent of the sayd act. 14. El. 5. 31. El. 10.

Reliefe of the
poore.

73 **T**hree Justices of peace within all the Shires of this Realme,
whereof one to be of the Quorum, haue power to heare, and determine
all causes (except forfeitures of Justices of peace) that shal come in question
by reason of the sayd statute provided for the reliefe of the poore. 14. El. 5.
31. El. 10.

Reliefe of the
poore.

74 **I**f any default shall be found in any Justices of peace, or Quo-
rum, in or about the executing of the sayd act provided for the reliefe of the
poore, every of the sayd Justices vpon prooff of the sayd default, by two
sufficient witnesses before the Justices of assise, at the next general Sessi-
ons of gaole deliuey for the same county, after the same default, shall lose
and forf. five pound of lawfull English money, the one halfe thereof to bee
to the vse of the sayd poore people of the same County, and the other halfe to
the Q. which forf. shalbe leuied by the discretion of the sayd Justices of As-
sise. 14. El. 5. 31. El. 10.

Poor people.
Vagabonds.

75 **T**he Justices of peace within any Countie of this Realme, or
Wales, shall not intromit or enter into any Citie, Borough, place or town
corporate, where be any Justice or Justices of peace, for any such Citie &c.
for the execution of any branch, article, or sentence of the act provided for
the punishment of vagabonds and reliefe of the poore and impotent, for,
concerning any offence, matter, or cause arising within the precincts, liber-
ties or iurisdiccions of such Citie, Borough, place, or town corporate, But
it may and shalbe lawfull to the Justice and Justices of peace, Bators, Bail-
lives, and other head officers of those Cities, Boroughs &c. where there bee

Justice

Justice of Justices, to proceed to the execution of the said act, within the precinct of their liberties, in such manner and forme, as the Justices of peace in any county may or ought to do within the same county, by vertue of the sayd Act. And every Justice and Justices of peace, within every such City &c. for any offence by them or any of them committed contrary to the intent of the said Act. shall be punishable and chargeable, as other Justices of peace at large in the counties, are by the sayd act appointed to be. 14. Cl. 5. 31. Cl. 10. S. Poore. S. Vagabonds.

76 ¶ If any Justice of peace, assembled at any of the sessions next after Easter, shall from thence depart, before conference had touching the execution of the Act, provided for the setting of the poore on worke, and for the amending of idleness, he shall for every offence forsaith v. li. to be rec. and leued as a fine, upon indictment and conviction of trespassse, and to be employed to the use of the provision and furniture of the house or houses of correction, in such county. 18. Cl. 3. 31. Cl. 10. S. Poore.

77 ¶ If any person whatsoever hee bee, being aboute the age of foure. teene yeeres, and set forth by the act provided for the punishment of vagabonds, made 14. Cl. to be a rogue, vagabond, or sturdy begger, bee at any time taken begging in any part of this Realme, or taken vagrant, wandering, and misordering himselfe, contrary to the purport of the sayd act, in any part of the same, he shall upon his apprehension bee brought before one of the Justices of peace, or Mayor, or chiefe Officer of Cities, Boroughes and Townes corporate, within the Countie, Citie &c. where the apprehension shall happen to be, and by the sayd Justice, or head officer bee presently committed to the common gaole of the sayde County being apprehended within the county, or else such other place, as by the Justices of peace of the county, or itt, of them, at their generall sessions shall be appointed. And if he be taken within any City, Borough or towne corporate, then to bee committed to the prison of the sayd City &c. there to remaine without bayle or mainprise, until the next sessions of the peace, or generall gaole deliuey of the same shire, citie, &c. to bee holden, which shall first happen. 14. Cl. 5. 31. Cl. 10. S. Vagabonds. 2.

78 ¶ The Justices of peace of every Shire, where any Ale buyer, or Beere buyer doeth dwell, out of a City, Borough or Towne corporate, or other place where no head Officers haue any rule, haue power to selle and take by their discretions, the pices of every barrell, kilderkin, or firkin of Beere and Ale, and the Ale and Beere buyers shall not sell their Ale and Beere at any higher pices, then shall be to the by the sayd Justices assigned. 23. Q. 8. 4. S. Bruers. 2.

79 ¶ The pices of all barels, kilderkins, firkins, and other vessels to bee sold for Ale, Beere, or Soper to be vntered therein, where such vessels shall be made or sold, out of any citie, borough or towne corporate, shall be taxed by the Justices of the peace, or the more part of them being present in the

Iustice of peace.

the quarter sessions yearly next after Easter, at such prices as they shall thinke reasonable. 8. *El. 9. S. Cowpers. 1.*

Attornies.

80 **T**he Iustices of peace within the Countie of Suffolke, Norff. and the Citie of Norwich, haue power to enquire in their sessions, of any persons which presume to be Attornies in any Courts of record, in the said countie of Ciry, other wise then is appoynted by the Stat. in that case provided. 33. *H. 6. 7. S. Attorney. 14.*

Keepers of
Ferryes and
passages.

81 **T**he Iustices of peace within the Countie of Gloucester and Somerset, at their quarter Sessions, haue authoritie to call before them al such persons which do keepe any Ferry or passage ouer the riuer of Seuerne into Wales, or the Forrest of Deane, or out of Wales, or the sayde Forrest into England, and to binde them with sufficient sureties with them in recognisance, in such summes of money, as it shall seeme to the discretion of the sayd Iustices, that they and euery of them, being Passengers, and keepers of Ferryes and passages, shall not after the Sunne being set at the night, or before the Sunne rising in the morning, conuey or carry, or cause to bee conueyed or carryed, any manner of person or persons, or any kind of cattell, but such persons as they doe knowe and will answer for, and to know where their abidings, dwelling, and habitations be, & vpon request made to them or any of them, shall from time to time disclose, aswel the same person or persons, as the goods & cattels so passing the sayd passages, vpon fresh suite made vpon any felony, murder, or robbery committed in the borders of the said countie of Gloucester & Somerset, or in any other place within England, or South Wales. 26. *H. 8. 5. S. Boates &c. 12.*

Overseers of
Cloth.

82 **T**he Iustices of peace or two of them at the least, of the Shire where any Towne, Village, or Hamlet not incorporate is, where any cloth shall be made or sold, haue full power once euery yeere, to call before them by their precept or otherwise, ii. iii. vi. viii. or more, (as they shall thinke good by their discretion) of the most honest, discrete, and indifferent men of euery such towne, village, or hamlet, where any cloth shall be made or sold, and them shall appoynt to bee overseers for one whole yeere then next following, within the towne, Village or hamlet, where the same overseers shall be dwelling, charging them also vpon their othes, and as they doe tender the honour and common wealth of the Realme, that they doe endeavour themselves for that yere to see the Statute provided 3. *Ed. 6.* for the true making of wollen cloth, to be obserued within the limits of their charge. 3. *Ed. 6. 2. S. Drapery. 71. 72. 73.*

Faulty cloth.

83 **I**f any person which shall retelle any of the clothes, kerseies, frizes, rugges or cottons, of the seuerall makings specified in the Statute (provided 5. *Ed. 6.* for the true making of wollen cloth) do present any cloth which is defectiue or faulty, vnto two Iustices of peace next adioyning, out of a Citie, Borough or Towne Corporate, where such cloth shall bee founde faultie, the same Iustices shall cause the same cloth to be cutte into three

thies equal pieces, wherof the Queene shal haue one, & present to one other, and the third they shal retayne to themselves. 5. Ed. 6. 6. S. Drapery. 34.

84. ¶ Every Justice of peace of the county where any souldier shall bee found, which shal giue, wilfully purloyn, exchange, or put away any Horse, Pace, Gelding, or harnais, wherewith he shalbe set forth, shall commit the sayd souldier to ward, untill hee hath satisfied the party griued for such horse, harnais &c. so lost, purloyned, or except the same souldier were imprisoned for the same offence before by the Lieutenant, Captaine &c. or their deputies, and made restitution. 2. Ed. 6. 2. S. Captaine. 1.

Souldier.

The number of sheepe.

85. ¶ The Justices of peace of euery Shire haue authorite to enquire of the offendours of the Statute made 25. H. 8. (limiting what number of sheepe men shall keepe, and haue at one time) as well by the oathes of twelve men, as by information of the Queenes Subiects, and to make such like proces vpon euery presentment or information concerning the sayde Acte, as they vse commonly to doe vpon presentments before them of trespassse, and no person being convicted by confession, or otherwise, that he hath done or attempted, contrary to the sayde Acte, shall bee put to any lesse fine, then after the rates of the forfeiture limited by the sayd Act. 25. H. 8. 13. S. Sheepe. 3. &c.

86. ¶ The Justices of assises and Justices of peace, within the County where any default of a Coroner is (which vpon request to him made, to come and inquire of any person slaine, drowned, or otherwise dead by misadventure, doth not his office therein diligently, or taketh any thing therfore) haue power to inquire thereof, and to determine the same, as well by examination, as by presentment. 1. H. 8. 7. S. Coroners 16.

Coroners.

87. ¶ Justices of peace haue power to heare and determine, vpon presentment made before them in their sessions, all forfeitures committed by Escheators in selling, or setting to farme their offices, or making any deputies but such for whom they will answer, contrary to the stat. in that case provided, in which presentment, like proces shal be had, as is used vpon indictments of trespassse done with forces and armes against the Queenes peace. 12. Ed. 4. 9. S. Escheators. 12.

Escheators.

88. ¶ Justices of peace, and other Justices haue power to hold pleas, of any suit, commenced by any person against the Sheriffe, or any of his ministers, which by force of the estreats of the Escheator, doe leuy the Queenes debt of him, and do not pay the same which is payed, whereby the debt is an other time demanded of the same person. 42. Ed. 3. 9. S. Estreats. 1.

Sherifes.

89. ¶ Where Justices, or a Justice of peace, vpon complaint to him or them made of any forcible entrie into landes or tenementes, or of detayning thereof with force, doe direct their precept to the Sheriffe to returne sufficient and indifferent persons dwelling about the sayd lands, to enquire of such entries: If the sayd Sheriffe or Bayliffe of Franchise hauing retorne of wrights, be slacke and do not duely execute the sayd precepts to them directed,

Defaults of Sherifes.

Justice of peace.

directed, then as well the sayd Iustices of Justice, as the Iustices of Assise, and every of them, at their coming into the countrey to take assise, have power to heare and determine such defaultes and negligences of the sayd Sherifes and Baplisfes, as well by bil as the suit of the P. grieved for himselfe, as by indictment onely for the D. And if the Sheriffe or baplisfe be attainted by indictment or bill, he which sueth for the D. and himselfe, shall have the moly of xx. li. (which the offender shall forf.) together with his costes and expences, and the proces against the offender shall be as in trespassse, vi & armis. 8. H. 6. 9. S. Force. 2.

Extortion of Sherifes.

90 **I**ustices of Assises in their Sessions, Iustices of the one bench, and of the other, and Iustices of peace in their countrey, have power to enquire, heare, and determine all the extortions, and other offences committed by Sheriffes, Undersheriffes, Coroners, Baplisfes of franchises, and their ministers, contrary to the statute for them provided. 23. H. 6. in my article or poynt of the same Statute. 23. H. 6. 10. S. Jurors. 10. Sherifes. 5. 6. 7. 8. 9. 10. 11.

Usury.

91 **I**ustices of Oyer and terminer, Iustices of assises in their circuits, and Iustices of peace in their sessions, have authority to enquire, heare, and determine, of all and singular offences committed against the statute provided 37. H. 8. against usury. 13. El. 8. S. Usury. 1. 2. 3.

Waights and measures.

92 **T**wo Iustices of peace, whereof one to be of the Quorum, have authoritie, as well by examination, as by inquirie, to heare and determine the defaultes of head Offices of Cities, Boroughs, and market Townes which doe not easlewise in the yeere at the least, al waights and measures therein to be brought before them, and the defectiue to be broken and burne, And also of all buyers and sellers, which doe not buy and sell with waights and measures, which be lawfull, and to set fines and ameriamentes upon the offenders according to their discretions. 21. H. 7. 4. And also Iustices of peace have power to enquire of falsifiers and counterfeeters of false waights, and to imprison, and in prison to hold them, untill they be attainted or acquitted, and if they be attainted, they shall remaine in prison untill they have made fine by the Iustices discretion. And they shall enquire of, heare, and determine the same, so often as they shall thinke needfull. 9. H. 5. 8. S. Weights. 9. 10. 13.

The eggcs of wildfoule.

93 **A**ll Iustices of peace, within the limits of their commission, have authoritie to enquire, heare & determine the offences of al those, which shall willingly purloine, destroy, or conuey away the eggcs of any kind of wildfoule, from the nest or place where they shall be layed by the same wildfoule, like as they commonly vse to doe in cases of trespassse. 25. H. 8. 1. 3. Ch. 6. 7. S. Wildfoule.

Wines.

94 **I**ustices of peace in every shire of this Realme, within the limits of their commissions, as wel within franchises as without, have authority to examine, heare, inquire, and determine the defaultes of such as shall attempt

to sell and wines in grosse, or by retayle, contrary to the stat. made 28.H.8. limiting the prices of wines, and to punish the offenders by imprisonment, or otherwise by their discretions. 28.H.8. 14.S.Wines. 1.2.

95 The Justices of peace of every Countie, City, and Towne corporate in their severall Sessions, have authority to enquire by the othes of xii. lawfull men, of all and every offence and offences done contrary to the Statute (made 7.Ed.6. to auoyd the great prices and excelsse of Wines) And every enquire and presentment taken, and had by the othes of xii. lawfull men, shall bee of such force, as if the same were taken or had in the Kings Bench: And every of the paynes, penalties, and forfeitures due by force of the sayd Act, for any offence committed contrary to the fourme thereof, as shall be found by presentment, before the sayde Justices, no bill, plaint, action, or information thereof commenced in any of the Queenes courts of record, shalbe equally devided into two parts, whereof the one shalbe to the Queene, her heires and successours, and the other to the poore people of the towne or place where such presentment shalbe found. 7.Ed.6. 5. S.Wines. 6.7.8.9.10.11.

96 All Justices of peace in their Sessions within the limites of their commissions, have authority to enquire, as wel by the othes of twelve men, as otherwise by information, and thereupon to heare, and determine all and singular such offences as shall bee done in the land, or within any haven, or peere (contrary to the Statute provided 5.El. touching certayne politique constitutions made for the maintenance of the Naup, or contrary to the Statute provided Anno 27.El. against the uttering or putting to sale flesh vpon certayne dayes prohibited,) and if any person shall be presented before the sayde Justices within the limites of their authorities, or any information given to them of any offender of the sayd Actes, then they have authority, vpon such presentment or information, to make proses against the offendours, as is commonly used vpon indictments of trespassse, and if any be presented, and afterwad convicted by confession or otherwise, then hee shall suffer no lesse punishment or forfeiture, then in the sayd Statutes is limited, for the leuying of the which forf. the sayde Justices within the limites of their Commissions, have authority to make such processe as they shall thinke good by their discretions. But no information at the suit of any person concerning the sayd Actes, shall be of effect to put any person to answer or forfeiture, except the same bee commenced within halfe a yeere after the offence done: Nor any information or presentment for the Queene shall be of effect or except the same be within one yeere after the offence committed, contrary to the sayd acts. 5.El. 5. 27.El. 11. to continue till the end of the next Parliament now next ensuing. S.Fish daies. Hempe and Flaxe. 2.Shippes. 1.2.3.4.5.

97 The Justices of peace, within any countie of this realme and euerie of them have power to inquire, heare and determine the defaultes and offences.

Iustice of peace.

offences committed (contrary to the Statute provided 17. Edward 4. for the true making of Cyle.) And if it be found, or may appeare to the sayd Iustices, or any of them, by examination or otherwise, that any person hath offended contrary to the sayd Act, then the same Iustices shall assesse upon the offender no lesse fine, then in the sayd Statute is limited. And the same Iustices haue power to assigne expert persons, in the occupation of Cyle making, to search and examine the making thereof, And every presentment made, by the sayd searchers of any defaults, before the sayd Iustices at their next Sessions, shal be as effectual in the lawe, as the presentment of twelve men. And the Iustices haue power to examine, inquire and determine the defaults of searchers, in like maner, as they haue of Cylemakers. 17. Ed. 4. 4. S. Tiles. 3. 4. 5.

Megrating of
wools.

98 **I**ustices of peace in their open sessions haue authoritey, upon information, to heare and determine the offences of wooll dyers, or wooll buyers, inhabiting within the Parish of Halifax, which shall sel their woolls at any other place, forth of the towne of Halifax: And also of all such, as shal buye their woolls at Halifax, and sel them againe wrought in yarne, or cloth, and to make proces against the offendours, as in other cases to be determined before them. 2. & 3. P. and P. 13. S. Wools. 5.

Additions of
Juroys and
their Issues.

99 **I**ustices of Oyer and determiner, within the limits of their commission, Iustices of Assise in their circuits, and Iustices of peace as well within Liberties as without, within the limits of their commission, shall haue full power and authoritey, to enquire, heare and determine all and every offences committed or to be committed within the severall limittes, circuite or precinct of their commission or commissions (contrary to the Statute made 27. El. for the leuying of Issues lost by Juroys) and to awarde for the proces of execution for the leuying of the sayd forfeitures 27. El. 7. to endure to the end of the next Parliament. S. Iuors. 33. 34.

Swearing of
undersheriffes.

100 **T**he Iustices of assise and Iustices of peace, in their open sessions, shall haue full power within the limits of their authoritey, to heare and determine the defaults done contrary (to the statute provided 27. El. for the swearing of undersheriffes and other officers) as well by presentment and information, as Inditement. And upon conviction of the offendours, to awarde execution for the leuie of the forfeitures, by fieri facias, or by Attachment, Capias or Exigent. 27. El. 12. S. Sheriffes 35. 36. 37.

Cottages,
Inmates.

101 **A**ll Iustices of assises, and Iustices of peace in their open sessions, and every lord within the precinct of his Leere, and none others shall haue full power and authoritey within their severall Limittes and Jurisdiccions, to enquire of, heare and determine all offences committed, contrary to the Acte made Anno 31. El. against erecting and maintayning of Cottages, and Inmates, as well by Inditement as otherwise by Presentment or Information, and to awarde execution for the leuying of the severall forfeitures in the sayd Statute limited by fieri facias, elegit, capias

orderwise, as the cause shall require. 3. 1. Elizabeth. 7. 8. Cottesages. 1.

102. Two Iustices of peace, whereof one to be of the Quorum, in or

next unto the limites where the parish Church is, within which parish any bastard begotten and borne out of lawfull matrimonie shall be borne, (vpon examination of the cause, and circumstance) shall and may by their discretions, take order as well for the punishment of the mother, and reputed father of such bastard childe, and also for the better reliefe of euery such parish in part or in all. And shall and may likewise, by like discretion, take order for the keeping of euery such Bastard childe, by charging such mother or reputed father with the payment of money weekely, or other sustentation for the reliefe of such childe, in such wise as they shall thinke conuenient. 1. 8. Eliz. 3. 5. Bastardy. 1.

Bastards.

103. If any person to whom any Agnus Dei, Crosses, Pictures, or Beades shall be offered, doe bring the partie that made him that offer, to a Justice of peace of that Shire, or within three dayes after such offer made, doe disclose to him the name of the partie, his dwelling or place of resort, and if the same Justice doe not within xiii. dayes next after any such matter shall be shewed vnto him, declare the same to one of the Queenes priuie Counsell: Then the Justice shall incur the danger, paine and foyle, of premunire pro- uided 16. R. 2. 1. 3. Cl. 2. 5. Rome. 7. 6.

Certificat of Agnus Dei, Crosses, &c.

104. Two Iustices of peace, whereof one to be of the Quorum, vpon information, certifi- cat, or complaine, to them made in writing by any Ecclesiasticall Judge, that gaue sentence against any person, which obstinately, and wilfully refused to pay his tythes or such summe of money, wherein hee was condemned for the same, haue authoritie to cause the same partie to be attached, and committed to the next gaole, vntill he haue found sufficient suretie to be bound to the Queene, to performe the sayd sentence. 3. 2. H. 8. 7. And the like authoritie haue any of the Queenes Counsell or two Iustices of peace, whereof one to be of the Quorum, &c. vpon the Ecclesiasticall Judges request, for any contempe, contumacie or other misdemeanour of the partie defendant in any suite for subtraction of tythes, offerings, or other duties of the Church vntill he hath found suretie, vt supra &c. 27. H. 8. 20. S. Tiches. 2. 2.

Cities.

105. The Iustices of peace of euery place and Countie, as well within liberties as without, shall haue authoritie in their Sessions within the limites of their authoritie and Commission, to inquire, heare and determine all offences committed against the Stat. provided An. 3. 1. Cl. to auoyde Horse stealing, and they may doe any other matter triable before them. 3. 1. Cl. 12. See Raynes. 32. 9. 8. 10.

Horse stealing.

106. Euery Justice of peace, within this Realme, that shall take any recognisance for the keeping of the peace, shall certifie, send or bring the same recognisance at the next sessions of peace, where he is or hath bin Justice, that

Certificat of recognisance.

Iustice of Peace

Bailment of
offenders.

the partie so bound may be called. And if the partie make default, the same default, then there to be recorded. And the same recognisance with the record of the default, shall be sent, and certified into the Chancery, the Kings Bench, or into the Exchequer. 3. H. 7. c. 1.

11. 107. No Justice, or Justices of Peace, shall let to baile or mainprise any such person or persons, which for any offence by any of them committed, be declared on or to be replevined, or bailed, or be forbidden to be replevined or bailed by the statute made 3. Ed. 1. No person arrested for manslaughter, or felony, or suspicion of manslaughter or felony, being bailable by the law, shall be let to baile or mainprise by any Justices of peace, if it be not in open Sessions, except it be by two Justices of peace at the least, whereof one to be of the Quorum. And the same Justices to be present together at the time of the said bailment or mainprise, which bailment or mainprise they shall certify in writing, subscribed, or signed with their owne hands, at the next generall gaole deliuerie, to be holden within the Countie where the persons shall be arrested or suspected. And the said Justices or one of them, being of the Quorum, where any such prisoner is brought before them, for manslaughter or felony, before any bailment or mainprise, shall take the examination of the prisoner, and information of them that bring him, of the fact, and circumstances thereof. And the same, or as much thereof as shall be materiall to prooue the felonie, shall put in writing, before they make the bailment, which examination, together with the bailment, the said Justices shall certify at the next generall gaole deliuerie, to be holden within the limites of their commission. And also the said Justices haue authoritie to bind all such by recognisance, or obligation, as doe declare any thing materiall to prooue the said manslaughter or felonie, to appeare at the next generall gaole deliuerie to be holden within the Countie, citie, or towne corporate, where the trial thereof shall be, then and there to giue evidence agaynst the partie so indicted, at the time of his trial, and shall certify euery such bond taken before them at the next generall gaole deliuerie. And if any Justice of peace, or Quorum shall offend in any thing contrary to the true intent and meaning of this Act, the Justices of gaole deliuerie of the Shire, Citie, Towne, &c. where such offence shall be committed, vpon due proofe thereof by examination before him, shall for euery offence, set such fine vpon euery of the same Justices of peace, as the same Justices of gaole deliuerie shall thinke meete. But the Justices of peace, and Coroners in London and Middlesex, and other Cities, Boroughs and Townes corporate in England and Wales, haue authoritie to let to baile felons and prisoners, as they haue bene heretofore accustomed. But they shall take examinations & bonds as is aforesayd, vpon euery bailment, by any of them made, and shall certify them at the next gaole deliuerie, to be holden within the Shire, Citie, Borough, &c. vnder the foresayd payne, &c. 1. and 2. Phil. and 9. 13. S. Mainprise. 52.

108. **I**n like sort every Justice or Justices of peace, before whom any person shall be brought for manslaughter or felony, or for suspicion thereof, before he or they shall commit such prisoner to ward, shall take the examination of such prisoner, and information of those that bring him, of the fact, and circumstances thereof, and the same, or as much thereof as shall be materiall to proove the felonie, shall put in writing within two dayes after the said examination, and the same shall certifie in such maner and forme, and at such time as they should and ought to doe, if the prisoner had bene bailed, or let to mainprise, upon such paine, as in the former statute is expressed, for not taking, or not certifying examinations. And the said Justices have authoritie to bind all such by obligation or recognisance, as to declare any thing materiall to proove the manslaughter, or felonie, to appeare at the next general gaole deliuerie, &c. to giue euidence, &c. and shall certifie the said bonds. *Ver supra. 2. p. 3. p. 8. p. 10.*

Imprisonment
of offenders.

109. **T**he Justices of peace, within the Shires next adjoining to the river of Chamis, betwixt Grauesend and Windsoy, within their severall jurisdictions, have authoritie upon complaint made unto the, or any of them, by the eight overseers of Watermen, or two of them, or by the master of any servant being a waterman, to examine, heare, & determine all complaints and offences, committed by any such person, that shall offend contrary to the true meaning of the Statute provided, 2. p. 3. p. and p. for Watermen upon the river of Chamis, and to set at libertie every person imprisoned by the said overseers, if just cause shall appeare unto them to doe, And to correct the said overseers, that shall without good cause punish any person, by colour of the said Act, 2. p. 3. p. & p. 16. s. Boates 2.

Watermen.
authoritie

110. **A**ll and singular Commissions granted, or to be granted to any Citie, or Towne corporate, not being a Countie in it selfe, for the keeping of their peace, and deliuerie of the prisoners remaining in the gaoles of any such Citie or Towne corporate, shall remaine and be good in the law, to all intents, the granting of any like commission of peace or gaole deliuerie, to any Commissioner or Commissioners, for the conservation of the peace, or deliuerie of the prisoners, remaining in the gaole of any Shire, Lath, Rape, Riding, or wapentake within this Realme of England, bearing date after the said commission or commissions granted to any such Citie or Towne corporate, not being a Countie in it selfe, to the contrary notwithstanding, 2. p. 3. p. & p. 18. s. Discontinuance of proces. 6.

One Commission
of the
peace shall not
be a superfluity
as to another.

111. **T**he Act made against unlawfull, and rebellious assemblies, or the effect thereof, shall be read or declared at any quarter Sessions. (1. p. 12.) And so shall the statute made 5. El. 1. for assurance of the Queenes power over all estates. And so shall the statute made 33. p. 8. for the maintenance of Artillerie, and debarring unlawfull games.

Statute declared at
sessions.

Justices of peace have authoritie to enquire of, heare and determine diuers other offences, prohibited by severall Statutes in force, but the

Iustice of peace.

authoritie is specially giue vnto them by the words of the Queenes commission of peace, and not by the letter of any of the sayde statutes, and therefore see the Commission, and peruse the statutes placed in their apt titles, in this treatise.

Sherife not Iustice.

1 That no Sherife shalbe Iustice of peace in the Countie where and when he is Sherife. S. Sherife 21.

Indictments in Turnes.

2 That Sherifs shal deliuer all indictments & presentments taken before them at their turnes, to the Iustices of peace, and hat the Iustices shal make proces against arraigne, & deliuer offenders. S. Sherifs 12. 13. 14. 15.

Examination of Sherifs &c.

3 That ij. Iustices of peace may examine Sherifes, vnder Sherifes, thire Clerkes and Baylifes of Hundreds, of enuing of plaintes before them, and execution of proces, and who shall appoynt those Iustices, and how they shall reforme offences. S. Sherifes. 16, 20.

Estretes.

4 That the Sherifes shall make no estretes to leuy amerçiaments vntil two Iustices haue had the oversight thereof, and that one part of the estretes indented shall remaine with the Iustices. S. Sherifes. 18.

Sherifs Baylifes.

5 That Iustices may sweare the Sherifes Baylifes to gather but their due tie, and after examine them thereof. S. Sherifes. 19.

Wrecept into another countie.

6 Where Iustices of peace may direct their precept, to bee executed out of their limits of their commission. S. Prison. 2. Indictments 2. 3. Laborers. 28. Bridges. 5.

Prisons.

7 For the authoritie of Iustices of peace concerning the edifying of gaoles in certaine Counties, the assessing of the shire, the appoynting of collectors, and surueiours, and calling them to accompt. S. Prison. 1. 2.

Offenders.

8 To what prisons Iustices of peace shal commit offenders. S. Prison. 7.

Gunnes.

9 That a Iustice of peace shal receiue the names of those which shoote in gunnes, and cause them to be recorded. S. Gunnes. 11.

Hospitallers.

10 That two Iustices of peace shall be assistant to the Bishoppe or his Chauncellour, to take their accompt, which haue the collection of hospitall landes. S. Hospitals. 1.

Panelles.

11 That Iustices of peace may reforme panelles, returned before them. S. Iurors. 8.

Concealments.

12 That Iustices of peace may take enquests to inquire of concealments of other enquests. S. Iurors. 9.

Mariners.

13 For Iustices authoritie, in taking Mariners to serue the Queene on the sea. S. Mariners. 3.

Physicians.

14 That Iustices within London and vii. miles compasse, shall assist the Colledge of Physicians, to execute the statutes for them provided. S. Physicians 10.

Making Iustices.

15 That none hath authoritie to make Iustices of peace, but the Queene. S. Prerogatiue. 17.

Riots.

16 That Iustices of peace shall arrest those which commit Riots, inquire of Riots, and certifie the same. S. Riots. 1. 2. 3. 5.

17 That

Laborers, Artificers, Seruants, Apprentices. 178

17 That commissions shalbe awarded, to enquire of the default of Iustices of peace touching inquire of riots. And that the Chauncellors shall direct a writ vnto them to make inquire. S. Riots. 6. Inquire of Riots.

18 What the Iustices shal for, which doe not certifie the names of the maintainers, or imbraceors, with their misdemeanours, by whose meanes any Riot is not found by the Iurie, S. Riots. 15. Maintainers.

19 For the due tie of Iustices of peace, concerning the executing of the statute made against vnlawfull and rebellious assemblies. S. Riots. 16. &c. Rebellions.

20 For the due tie of Iustices of peace, concerning the examination and punishment of any which shall disturbe, or misuse any Preacher in his Sermon, or which shall rescue or disturbe the arrest of any such offendor, or suffer him to escape. S. Preachers. 1. 2. 3. Preachers.

21 That Iustices of peace shall receiue Dockets, of the high Constables, perle Constables, and Headboroughs, of all such things which be purueied for the Q. within the same Countie where &c. And shall deliuer the ouer to the Lord Steward, Treasorer, or Comptroller of the Queenes house. S. Purueyors. 29. Dockets.

22 Where a Iustice of peace may take an abiured person out of Sanctuary, S. Sanctuarie. 9. Abiured.

23 Where Iustices of peace shall execute the commission of Sewers. S. Sewers. 16. Sewers.

24 That Iustices of peace shall limit Vitailers gaine, and punish them which take excessiue. S. Vitailers. 3. Vitailers.

25 That Iustices of peace may enter into a Marchants house which denieth to sell wine, at the price assessed &c. and sell and deliuer the same. S. Wines. 4. Wintners.

26 That none shall sell wines in Townes not corporate, but by the assignement of the Iustices of peace. S. Wines. 9. Wines.

27 Where two Iustices shall deuide a Wood, if the owner and commoners thereupon cannot agree. S. Woods. 8. 9. Woods.

28 For the authoritie of Iustices in punishing those which goe or ride armed. S. Armour. 10.

29 The forfeiture of a Iustice of peace, which hauing notice of a Iesuite or Priest, doeth not thereof aduertise some of the Queenes Councell, &c. S. Iesuities. 12.

30 That there shalbe Iustices of Peace in Wales, their authoritie, due tie, &c. S. Wales. 30. 31.

Laborers, Artificers, Seruants, Apprentices.

NO person shall retaine, hire, or take into seruice, or cause to be retained, hired, or taken into seruice, nor any person shalbe retained, or to worke for any lesse time then for one whole yeere, in any of the sciences, or artes of Clothyers, Wollen cloth weauers, Tuckers, Fullers, Clothworkers, None of these seruants shal be retained vnder a yeere.

Labourers, &c.

Sheremen, Diers, Hostlers, Tailors, Shoemakers, Tanners, Pewterers, Bakers, Buiers, Glouers, Cuslers, Smiths, Fettiors, Curriers, Saddlers, Spurriers, Turners, Cappers, Hatmakers, or Felmakers, Bowyers, Fletchers, Arrowheadmakers, Butchers, Cookes, or Millers. 5. Eliz. 4.

These persons
upon request
are compellible
to serue in hand-
icraftes.

2. ¶ Every person unmarried, and every other person vnder the age of xxx. yeeres married, hauing bene brought vp in any of the said artes, or sciences, or that hath vsed or exercised any of them by the space of iii. yeeres, or more, and not hauing lands, tenements, rents, or hereditaments, copyhold or freehold of one estate of inheritance, or for terme of any life or liues, of the cleere yeerely value of xl.s. not being woorth of his owne goods the cleere value of x. li. and so allowed by two Iustices of the peace of the Countie where he hath most commonly inhabited by the space of one whole yeere, and vnder their handes and seales, or by the Maior, or other head officer of the Citie, Borough, or Towne corporat, where such person hath most commonly dwelled by the space of one whole yeere, and two Aldermen, or two other discreete Burgesles of the same Citie, &c. if there be no Aldermen, vnder their handes and seales, nor being retained with any person in husbandry, or in any of the foresaid artes according to this statute, nor lawfully retained in any other arte or science, not being lawfully retained in household, or in any office with any Nobleman, Gentleman, or others, according to the lawes of this Realme, nor hauing a conuenient Farme or other holding in tillage whereupon he may employ his labour, shall during the time that he or they shalbe so unmarried, or vnder the said age of xxx. yeeres, vpon request made by any person vsing the Arte or Myserie wherein the laide person so required hath bene exercised, as is aforesaid, be retained, and shall not refuse to serue according to the tenor of this statute, vpon the paine hereafter mentioned. 5. Eliz. 4.

These persons
are compellable
to serue in hus-
bandry.

3. ¶ Every person betweene the age of xii. yeeres, and the age of lx. yeeres, not being lawfully retained, nor apprentice with any Fisherman or Mariner, hauing the Seas, nor being in seruice with any Kidder or Carrier of any corne or meale, for prouision of the Citie of London, nor with any husband in husbandry, nor in any Citie, Towne corporat, or market towne, in any of the artes or sciences appointed by this statute, to haue or take apprentices, nor being retained by the yeere or halfe the yeere at the least, for the digging, seeking, finding, getting, melting, fining, working, tryng, or making of any Siluer, Tinne, Lead, Iron, Copper, Stone, Seacoale, Stonecoale, Hoorecoale, or Cherkecoale, nor being occupied in or about the making of any glasse, nor being a Gentleman boyne, nor being a student, or scholler in any of the Uniuersities, or in any Schoole, nor hauing lands, tenements, rents, or hereditaments, for terme of life, or of one estate of inheritance of the cleere yeerely value of xl.s. nor being woorth in goods and cattels to the value of x. li. nor hauing a father or mother then liuing, or other ancestor, whose heire apparant he is then, hauing lands, tenements, or hereditaments.

of the yeerely value of x. li. or above, or goods, or cattels of the value of xl. li. nor being a convenient or necessarie officer, or servant lawfully retained, as is aforesayd, nor having a convenient farme or holding, wherupon hee may or shall employ his labour, nor being otherwise lawfully retayned, according to the true meaning of this statute, shall be compelled to be retained to serve in husbandry, by the yeere, with any person that keepeth husbandry, and will require any such person to serve, within the same shire where he shall be so required. §. Cl. 4.

4 ¶ If any person do by any secret meanes, directly or indirectly retaine, or keepe any servant, workeman, or laborer, or doth give any more or greater wages, or other commoditie, contrary to the true meaning of this statute, or contrary to the rates or wages assessed or appoynted in the proclamations made for that purpose, in the Countie, Citie or Borough, where he doth inhabit, then hee that shall so offend and be thereof lawfully convicted before any Justice of peace of the Countie, or the Mayor, or other head officer of the citie, borough, or towne corporate, and two Aldermen, or two discrete Burgeses if there be no Aldermen, or before the Lord President and councill in the marches of Wales, or the Lord President and councill in the North partes, shall suffer imprisonment by the space of ten dayes, without bayle or mainprise, and forfeit v. li. And every person that shall be so retained and take wages contrary to this statute, or any branch thereof, or of the sayde proclamation, and shall be thereof convicted before the Justices aforesayde, or any two of them, or before the Mayor or head officers aforesayde, shall suffer imprisonment by the space of xxi. dayes without bayle or mainprise. And every retainer, promise, gift, or payment of wages or other thing whatsoever, contrary to the true meaning of this statute, and every writing and bond made for that purpose, shall be utterly voyde. §. Cl. 4. How the wages shall be rated, S. Justice of peace, 66.

Retaining or giving wages contrary to the statute.

Taking of wages contrary to the statute

5 ¶ If any person after he hath retained any servant, shall put away the same servant before the ende of his terme, unlesse it bee for some reasonable and sufficient cause to bee allowed before two Justices of peace, or one at the least within the sayde Countie, or before the Mayor, or other chiefe officer of the Citie, Borough, or towne corporate, wherein the sayde person inhabiteth, or if any such Master, Mistres, or Dame, shall put away any such servant at the ende of his terme, without one quarters warning given before the said ende, then every such master or so offending, shall forfeit xl. s. unlesse he bee able to pprove by two sufficient witnesses, some reasonable and sufficient cause of putting away of his servant during the terme, or a quarters warning given before the ende thereof, before the Justices of Oyer and Terminer, Justices of Assise, Justices of the peace in the quarter Sessions, or before the Mayor or head officer of any Citie, Borough or towne corporate, and two Aldermen, or two other discrete Burgeses of the same Citie or so, if there be no Aldermen, or before the Lord President and Counsell

Putting away a servant within the terme.

Putting away the servant without a quarters warning.

Laborers, &c.

in the marches of Wales or in the North. 5. Cl. 4.

The servant
departing
within his
terme, or with-
out warning,
or refusing to
serue.

6 ¶ If any seruante retayned according to this statute, depart from his master, mistres, or dames seruite before the end of his terme, vlesse it be for some reasonable and sufficient cause, to be allowed as is aforesaid: Or if any seruante at the end of his terme depart from his masters &c. seruite, without one quarters warning given before the end of his terme, and before two lawful witnesses, or if any person compellable and bound to bee retayned and to serue in husbandry, or in any other sciences aboute remembred, by the peere, or otherwise, doe vpon request made, refuse to serue for the wages rated and appoynted by the Queenes Proclamation in that Countie, Citie, Borough where &c. according to the forme of this Statute, or promise or couenant to serue, and doe not serue according to the tenour of the same, then every seruante so departing away, and every person so refusing to serue for such wages, vpon complaynt thereof made by the master &c. of the said seruante, or by the partie to, or with whom the sayde refusall is made, or promise not kept, to two Iustices of peace of the countie, or to the Mayor or other head officer of the Citie, Borough &c. and two Aldermen, or two other discrete Burghesses of the same Citie &c. if there be no Aldermen where the said Mayor &c. or the said partie to or with whom the said refusall is made, or promise not kept, dwelleth, or to eyther of the said Lords Presidents and Councell of Wales, and the North, the sayde Iustices, Presidents and Councell, and the sayd Mayors, head officers, & other persons of Cities, Boroughs &c. or any of them, haue power to heare and examine the matter, and finding the sayd seruante, or the said partie so refusing, faultie in the premisses, vpon such proofes and good matter, as to their discretions shalbe thought sufficient, to commit him to warde, there to remaine without bayle or maynepsse, vntill he shal be bound to the partie to whom the offence shal be made, to serue and continue with him, for the wages limited according to the tenour of this statute, and then to be discharged vpon his deliuey, without paying any fee to the Gaoler where he shall be so imprisoned. 5. Cl. 4.

Servants that
not depart into
other townes
without testi-
moniall.

7 ¶ None of the sayde retayned persons in husbandry, or in any the Artes or sciences aboute remembred, after the time of his retayner expired, shall depart forth of one Citie, Towne, or parish to an other, Nor out of the Lath, Rape, Mayentake, or hundred, Nor out of the countie or shire where he last serued, to serue in any other citie, towne corporate, Lath, Rape, Mayentake, hundred, shire, or countie, vlesse hee haue a testimoniall vnder the seale of the sayd citie or towne corporate, or of the constable, or other head officer, and of two other honest householders of the citie, towne, or parish where he last serued, declaring his lawfull departure, and the name of the wife and place where hee dwelled last before his departure, according to the forme hereafter expessed, which certificat, or testimoniall shall be written and deliuered vnto the said seruante, and also registred by the parson, vicar, or curate of the parish where such master, mistres, or dame doeth dwell, taking for

for the doing thereof ii. d. and not above. Memorandum that A. B. late servant of C. D. of E. husbandman of Taylor &c. in the sayde Countie, is licensed to depart from his sayde Master, and is at his libertie to serve els where, according to the Statute in that case made and provided. In witness whereof &c. dated the day, moneth, yere, and place &c. of the making thereof. 5. Cl. 4.

The forme of the Testimoniall.

8. ¶ No person that shall depart out of service, shall bee retained or accepted into any other service, without shewing before his retainor, such testimoniall as is before remembred to the chief Officer of the towne corporat, and in every other towne any place to the Constable, Curate, Churchwarden, or head Officer of the same where hee shall be retained to serve, upon the paine that every such servant so departing without such certificate or testimoniall, shall be imprisoned untill he procure a testimoniall or certificat, the which if hee cannot doe within the space of xii. dayes next after the first day of his imprisonment, then the sayde person shall be whipped, and used as a vagabond, according to the lawes in such case provided. And every person retaining any such servant without shewing such testimoniall, or certificat, shall forfeite for every such offence five pound. And if any such person shall be taken with any counterfeit or forged testimoniall, then he shall be whipped as a Vagabond. 5. Cl. 4.

No servant shall be retained without shewing his Testimoniall.

Counterfaite testimoniall.

9. ¶ All Artificers and labourers, being hired for wages by the day or weeke, shall betwixt the middell of the moneths of March and September, be, and continue at their worke, at or before five of the clocke in the morning, and continue at worke, and not depart untill betwixt vii. and viii. of the clocke at night, except it be in the time of breakfast, dinner, or drinking, the which times at the most shall not exceede above two houres and a halfe in the day, that is to say, at every drinking one halfe houre, for his dinner one houre, and for his sleepe when he is allowed to sleepe, (the which is from middell of May to the middell of August) halfe an houre at the most, and at every breakfast one halfe houre. And all the said artificers and laborers betwene the middell of September, & the middell of March, shall be and continue at their worke, from the spring of the day in the morning untill night, except it be in time afoze appoynted for breakfast and dinner, upon paine to forfeit one peny for every houres absence, to be defaultted out of his wages that shall so offend. 5. Cl. 4.

How long workmen shall continue at their labor.

10. ¶ Every artificer and labourer that shall be lawfully retained, in or for the building, or repaying of any Church, house, ship, mill, or every other piece of worke taken in great, in caske, or in grosse, or that shall take upon him to make or finish any such thing or worke, shall continue and not depart from the same (unlesse it be for not paying of his wages or hyper agreed on, or otherwise lawfully taken or appoynted to serve the Queene &c. or for other lawfull cause or without licence of the master or owner of the worke, or of him that hath the charge thereof) before the finishing of the same worke, upon

None shall depart from his worke before it be finished.

upon payne of imprisonment by one moneth without baille or maine-
prise, and the forfeiture of five pounds to the partie from whom hee shall so
depart, for the which the sayde party may haue his action of debt against
him that shall so depart in any the Queenes Courts of record, besides such
ordinarie costes and damages, as may or ought to be recovered by the
common lawes, for any such offence, wherein no *III. 4c. E. 3. 4c.* And no
other artificer or labourer, retained in any seruice to worke with the Queene,
or any other person, shall depart from her Palace, or from the sayde person
vntill the worke be finished, if the person so retaining the artificer or labourer,
so long will haue him, and pay him his wages, or other dueties, upon paine of
imprisonment of euery person so departing by the space of one moneth. *5. Eliz. 4.*

Going into o-
ther shires for
haruest worke.

II. 1 ¶ But all persons of the Countie where they haue accustomed to
goe into other shires for haruest worke, and hauing at that time no haruest
worke sufficient in the same time, nor Countie where hee or they dwelt in the
winter then last past, bringing with him or them, a testimoniall vnder the
hand and seale of one Justice of the peace of the shire, or other head officer
of the towne or place where hee or they come from, testifying the same, for the
which he shall not pay aboue i. d. (other then such persons as shalbe retained
in seruice according to the forme of this stat.) may resort in haruest of hay or
corne, from the countreyes wherein their dwelling places are, into any other
place or countrey, for the onely mowing, reaping, and getting of hay, corne
and graine, and for the onely working of haruest worke, as they might haue
done before the making of this statute. *5. Eliz. 4.*

If seruant or
workman al-
saulcing his
master.

II. 2 ¶ If any seruant, workman, or labourer, shall wilfully or malici-
ously make any assault or affray vpon his master, mistres, or dame, or vpon
any other, that shall at that time haue the charge or ouersight of him, or of the
worke wherein hee is appoynted or hired to worke, and being thereof con-
uicted before any two of the Justices, Maior, or head Officer aforesayde,
where the sayde offence is committed, or before either of the sayde Lordes,
Presidents, and Councell before remembred, by confession of the sayde
seruant, workman or labourer, or by the witnessse and othe of two honest
men: Then euery such offendour shall suffer imprisonment by the space of
one whole yeere, or less, by the discretion of two Justices of peace, if it
be without a Towne incorporate, and if it be within a towne incorporate, then
by the discretion of the Maior, or head Officer of the same Towne incorpo-
rate, with two others of the discreetest persons of the same corporation at the
least. And if the offence shall require further punishment, then to rectiue such
other open punishment (so as it extend not to life, nor limme) as the Justi-
ces of peace in open Sessions, or as the moze part of them, or the said Maior,
or head officer, and sixe or foure at the least of the discreete persons of the
same corporation, before whome the offence shall be examined, shall thinke
conuenient for the qualitie of the sayde offence so committed. *5. Eliz. 4.*

13 ¶ In the time of hay, or coine harvest, the Justices of peace, and euery of them, and also the Constable, or other head officer of euery Towneship, vpon request, and for the auoiding of the losse of any coine or hay, shall and may cause all such artificers and persons, as be meete to labour by the discretion of any of the saide Justices, Constables, or other head officers, to serue by the day for the mowing, reaping, shearing, getting, or innig of coine and hay, according to the skill and qualitie of the person, and none of the saide persons shall refuse so to doe, vpon payne to suffer imprisonment in the stocks by the space of two dayes and one night. And the Constable of the Towne or other head Officer of the same where the sayde refusall shall bee made, vpon complaint to him made, shall haue authoritie to let the sayd offendor in the stocks for the time aforesayde, and shall punish him accordingly, vpon payne to lose and forfeite for not doing thereof the summe of xl. s. 5. Cl. 4.

Artificers or
compellable to
woyke in hay
nest.

14 ¶ Two Justices of peace, the Maior, or other head officers of any Citie, Borough, or Towne corporate, and two Aldermen, or two other discrete Burgeses of the same Citie &c. if there bee no Aldermen, shall and may appoynt any such woman, as is of the age of xii. yeeres, and vnder the age of xl. yeeres, and unmarried, and sooth of seruice, as they shall thinke meete to serue, to be retained or serue by the yeere, by the weeke, or day, for such wages, and in such reasonable sort, as they shall thinke meete. And if any such woman doe refuse so to serue, then it shall be lawfull for the said Justices, Maior, or head officer to commit her to ward, vntill she shall be bounden to serue as is aforesaid. 5. Cl. 4.

Women com-
pellable to
serue.

15 ¶ Euery person being an houtholder, and hauing and vsing halfe a plough land at the least in tillage, may haue and receiue to an apprentice any person aboue the age of tenne yeeres, and vnder the age of xviij. yeeres, to serue in husbandry, vntill his age of xxi. yeeres at the least, or vntill the age of xxiii. yeeres, as the parties can agree, and the saide retainer and taking of an apprentice, shall be done by an indenture. 5. Cl. 4. S. 12. R. 2. 5. if a childe vse husbandry vntill the age of xii. yeeres, and be made an Apprentice after to any mysterie, his couenant shall be voide. But whether this be in force, or repealed by the generall wordes of 5. Cl. 4. Quære.

A husbandman
may take an
Apprentice.

16 ¶ Euery person being an houtholder, and xxiii. yeeres olde at the least, dwelling in any citie, or Towne corporate, and vsing any arte, mysterie, or manuel occupation there, shall and may, during the time that he shall there dwell and vse any such arte &c. haue and retaine the sonne of any free man not occupping husbandry, nor being a labourer, and inhabiting in the same or in any other citie or Towne corporate to serue, and be bound as an apprentice after the custome and order of the citie of London, for vii. yeeres at the least, so as the terme of such apprentice doe not determine befoze he shall be of the age of xxiij. yeeres at the least. 5. Cl. 4.

Quære
What my-
sters inhabi-
tants in
Townes cor-
porate may
take.

17 ¶ It is not lawfull for any person dwelling in any Citie or Towne corporate,

corporate,

Labourers, &c.

These must
take y^enti-
ces whose parents
may dispense
some landes.

incorporate, v^{er}ing any of the mysteries or craftes of a marchant traffiquing
by trade into any che parties beyond the sea, Mercer, Draper, Goldsmith,
Jewellmonger, Jeweller, or Clothier, that doth put cloth to making and
sale, to take an app^rentice or seruant, to be instructed in any of the artes, oc-
cupations, craftes, or mysteries, which any of them doe vse (excepte such ser-
uant or app^rentice be his soune) or els that the father or mother of such Ap-
p^rentice or seruant, shall haue at the time of the taking of him, landes, tene-
ments, or other hereditaments, of the cleere p^recely value of forty shillings
of one estate of inheritance or freeholde at the least, or to bee certified vnder
the handes and seales of thre Iustices of the peace of the shire or shires
wherethe sayde landes, tenements, or other hereditaments doe lie, to the
Mayor, Bailie, or head Officer, of such Citie, or towne incorporate, and to be
inrolled among the records there. But if any such Merchant, Mercer,
Draper, or other of the artificers aforesayde, doe dwell in a market Towne
not incorporate, then the father or mother of an app^rentice by him taken, must
haue landes, &c. to the value of thre pound &c. to be certified by thre Iusti-
ces, and inrolled as is aforesaid. 5. Cl. 4.

What y^enti-
ces, inhabi-
tants in mar-
ket townes
may take.

18 ¶ It is lawfull for enery person being an housholder, and xxiii,
yeeres olde at the least, and not occupying husbandrie, nor being a labourer,
dwelling in any market towne not being incorporate, so long as the same
shall be weeklyd vsed as a market Towne, and vsing any arte, mysterie, or
manuall occupation, during the time of his abode there, and so vsing such
arte &c. to haue in like maner to App^rentice the childe or children of any other
Artificer or Artificers, not occupying husbandrie, nor being a labourer, inha-
biting in the same, or in any other such market Towne within the same
shire, to serue as App^rentice, to any such arte &c. as hath bene vsually
exercised in any such Market Towne, where such App^rentice shall bee
bounde, in maner and forme aforesayde. And the inhabitants of God-
alming in the Countie of Surrey within the limits of the watch of
the same Towne, may vse such occupations, and take and vse App^rentices
and seruants, as the aforesaid inhabitants within market townes may doe.
5. Cl. 4.

App^rentices
whose parents
may dispense
no landes.

19 ¶ It is lawfull to any person, vsing the occupation of a Smith,
wheelwright, ploughwright, milwright, carpenter, roughmason, plasterer,
sawyer, limeburner, bricke-maker, bricke-layer, tyler, flacer, helper, tylema-
ker, linnen weauer, turner, couper, miller, earthen potter, wollen weauer,
weaving buswifes or household cloth onely, and none other cloth, fuller other-
wise called tucker or walker, burner of Dye and Road albes, thatcher, or
shingler, wheresoeuer bee or they shal dwell, to haue or receiue the sonne of
any person as App^rentice, in maner and forme abovesayd, to be instructed
in these occupations onely and in none other, albeit the father or mother
of any such App^rentice, haue not any landes, tenements, or heredita-
ments. 5. Cl. 4.

of occupation aforesayde, unlawfully depart of his into any other place, he shall be lawfull to the saide Justices of peace, and to the saide Mayor, Bailiffs, and other head officeres of Cities & Townes corporate, being Justices of peace there, to make and graunt writs of Capias, so many, and such as shall be needefull, to bee directed to the Sherifes of the Countie, or to other head Officers of the places whither such servants or apprentices shall so depart, to take their bodie, returnable before them at what tyme shall please them, so that if they come by such proces, they shall be put in prison till they shall finde sufficient surtie well and honestly to serue their masters, mistresses or dames, from whom they so departed, according to the order of the lawe. 5. Cl. 4.

Stat. sessions.

29 ¶ But it is lawfull to the high constables of hundreds in every shire to holde, keepe, & continue petit Sessions, otherwise called Statute Sessions, within the limits of their authorities, in all shires wherein such sessions have bene used to be kept, in such manner, as heretofore hath bene used, so as nothing be by them done therein contrary or repugnant to this act 5. Cl. 4.

Owners of
shippes, Gun-
ners, and ship-
wrights, may
take pyntices.

30 ¶ It shall be lawfull to every owner of shippes or vesselles, and to every householdier using the trade of the seas by fishing or otherwise, to every Gunner commonly called a Canoner, and to every Shipwright, to take or keepe one or moze apprentice or apprentices to bee brought up in the sayde trades, every of the sayde apprentices to be to them bounde for ten yeeres or under. And every apprentice so taken being aboute seven yeeres of age, shall be by the same covenants bound, ordered, and used to all intents according to the custome of the Citie of London, so that the same covenant or bonde of apprenticeship bee made by writing indented and enrolled in the towne where the same apprentice shall bee then inhabiting if it bee a towne corporate, and if the towne be not incorporate, then to bee enrolled in the next towne corporate to the habitation of every such apprentice. And the officers of every such towne corporate shall take for every such enrolment not above xii. d. 5. Cl. 5. 27. Cl. 11, to continue till the ende of the next Parliament now next ensuing.

¶ Beggers
childe taken
apprentice.

31 ¶ If any Beggers childe being aboute the age of five yeeres and under fourteen yeeres, being male or female shall be liked of by any subject of this Realme of honest calling, who shall be willing to take the sayde childe into service, the sayde subject shall at the next generall sessions to bee holden for the said Countie, by order of the Justices there, or the most part of them, have the said childe bound with him (if it be a man childe) till the age of xiiii. yeeres, if it be a woman childe, till the age of xiiii. yeeres. And if the childe doe after depart or be taken, or be induced from the saide Master or Mistress, the Master or Mistress, to have their remedie by order of the Justice of Labourers as for their servant, either by way of action or otherwise, as well against the childe, as against the taker or inducer thereof. 14. Cl. 5. 3. 18. Cl. 3. 17. Cl. 11, to continue till the ende of the next Parliament now next ensuing.

32 ¶ Every

32 ¶ **E**uerie crafts man of the misterie and occupation of woostred making, dwelling within any of the towne of Lin & great Parnmouth, in the Countie of Dorsethe & suburbs of the same, may haue and take apprenticeship or apprentices (being male) of the age of xiiij. yeares & upward; and being the Quenes naturall subiectes, for the terme of seven yeeres and not vnder, so that none of them excēde the number of two at once, to learne, vse, and exercise the saide craft within either of the said towne or suburbs of the same, albeit the father of the same apprentice may not expende in landes and tenements to the yeerely value of xx. s. Any act or ordinance to the contrary made or to be made notwithstanding. 14. H. 8. 3. 26. H. 8. 16. 5. Cl. 4.

Inhabitants
in Linne and
Parnmouth.

1 For conspiracies made by artificers or labourers for the order of their workes, S. Artificers, 1.

2 Where the Master shal put away his seruant for wearing of silk, S. Apparell, 1.

3 That none shall worke hats with forren wooll, but which hath bene apprentice, S. Hattes, 3.

4 How many apprentices a Hatmaker may take, and for what time, S. Hattes, 6.

5 That none shall be a Weauer but which hath bene apprentice, S. Drapery, 76.

6 For the authoritie and duetie of Iustices of peace, Maiors, &c. concerning the executing of the statute of Labourers, S. Iustice of peace, 66, 67, 68. Corporations, 19.

¶ Lancaster.

What landes euery Iuror ought to dispende which shall indict in a forren Countie, any person dwelling in the Countie of Lancaster, and e conuerso, S. Iurors, 17, 18.

2 For fines leuied before the Iustices of Assise at Lancaster, of lāds within the Countie of Lancaster, S. Fines, 12.

3 That Tales de circumstantibus is grantable in the countie of Lancaster where a full Iurie doth not appeare, S. Iurors, 21, 23.

4 For Exigents awarded against any person dwelling in the countie of Lancaster, S. Exigents, 6, 10, Liueries, 5.

5 For commissions of Sewers to be granted within the fees of the Dutchie of Lancaster, S. Sewers, 17, 19.

6 How offices founde in the countie of Lancaster shall be receiued, and that they shall be certified into the Court of Wardes, S. Offices, 7.

7 For inrolments of bargaines and sales, of lands in the countie of Lancaster, S. Inrolments, 4.

8 For the inrolling of fines and Recoueries in the county of Lancaster, S. Fines, 29, &c.

Lapse. Leases.

**No Lapse a-
gainst the
Quene.**

IF any do present to a church being void, the aduocation wherof is the Quene's, so that suite is commenced betwixt the Quene & the other if the Quene by iudgement of the Court doe recover her presentation, though it be after the Lapse of vi. moneths from the time of auoidance, no time shall preiudice her grace so that shee present within the time of vi. moneths. Prærog. Regis. 17. Ed. 2. 8.

**The Ordinary
may counter-
pleade the
Quenes title
for a benefice
falls by Lapse.**

2 **¶** When any Ordinary hath giuen a benefice, which came right-fully to him by Lapse, and after the Quene presenteth, and commence-eth her suite against the Patron, in this and all such like cases where the Quenes title is not tried, the Ordinarie or possessor shall be received to counterpleade the title made for the Quene and to haue his answer, shew and defend his right, though he claime nothing in the patronage. 25. Ed. 3. 7. pro clero. S. Incumbent.

1 Where title to conferre or present by Lapse shal not accrue vpon depriuation, but after vi. monethes after notice. S. Ecclesiasticall persons. 5.

Leases.

**Leases by te-
nant in taile or
of the wiues
landes.**

AL Leases made of any manors, lands, tenements, or other hereditaments, by writing indented vnder seale, for terme of yeeres, or for terme of life, by any person or persons being of full age of xxi. yeeres, ha-ving any estate of inheritance, either in fee simple, or in fee taile, in their owne right, or in the right of their Churches, or wiues, or jointly wth their wiues, of any estate of inheritance made before the couerture or after, be good and effectuell in the law against the lessors, their wiues, heires & suc-cessors, and euery of them according to such estate as is comprised in eu-ery such indenture of lease, in like maner as the same should haue bene, if the lessors therof and euery of them at the time of the making of such lea-ses had been lawfully seised of the same lands comprised in the said inden-ture, of a good and perfect estate in fee simple to their owne only vles. But this act doth not giue any liberty to any person to make any more farms, leases, or taking of any lands &c. then hee should or lawfully might haue done before the making of this act. 32. H. 8. 28.

**Special obser-
uations of lea-
ses to be made
by tenant in
taile or of the
wiues landes.**

2 **¶** This act doth not extēd to any leases made of any manors, lands &c. being in the handes of any farmer, or farmers, by vertue of any olde lease, vnlesse the same old lease be expired, surrendred, or ended, within one yeere next after the making of the saide new lease, nor to any graunt made of any reuerſion of any manors, landes &c. nor to any lease of any manors, lands &c. which haue not most commonly ben letten to farming, or occupied by the farmers therof by the space of twentie yeeres next before such lease therof made, nor to any lease made without impeachment of wast, nor to any lease made aboue the number of xxi. yeeres, or iij. liues at the most, from the day of the making therof, & vpon euery such lease there shalbe reserved yeerely during the same lease due & payab^{le} to the lessors, their

their heires and successors to whom the same lands should haue come after the death of the lessors, if no lease thereof had been made, and to whom the reuerſion therof ſhal appertaine, according to their estates & intereſts, ſo much yearly ſarme or rent or more, as hath been moſt accuſtomably payed for the manors, lands &c. ſo letten within xx. yeeres next before ſuch lease thereof made. And euery perſon to whom the reuerſion of ſuch manors, lands &c. ſo letten ſhal appertaine after the death of ſuch leſſors, or their heires, ſhall and may haue ſuch like remedie and aduantage, to all intents, againſt the leſſees, their executors and aſſignes, as the ſame leſſors might haue had, ſo that if the leſſor were ſeiſed of any eſpeciall eſtate taile of the ſame hereditaments at the time of ſuch lease, the iſſue or heire of the eſpeciall eſtate ſhall haue the reuerſion, rents, and ſeruices reſerued vpon ſuch lease after the death of the ſaid leſſor, as the leſſor himſelfe might or ought to haue had, if he had liued. 32. H. 8. 28.

3 The wiſe ſhalbe made party to euery lease made by her husband, of any manors, lands &c. being the inheritance of the wiſe, & euery ſuch lease ſhalbe made by indenture in the name of the husband and his wiſe, and the ſhall ſeale the ſame, and the ſarme and rent ſhalbe reſerued to the husband and to the wiſe, and to the heires of the wiſe, according to her eſtate of inheritance in the ſame, and the husband ſhal not alien, diſcharge, graunt or giue away the ſame rent reſerued, nor any part thereof longer then during the couerture, without it be by fine leued by the husband and wiſe, but the ſame rent ſhall remaine, deſcend, reuert, or come after the death of ſuch husband vnto ſuch perſons and their heires, in ſuch ſort as the landes ſo leaſed ſhould haue done, if no ſuch lease had thereof bene made. 32. H. 8. 28.

The wiſe ſhall be partie to euery lease made of her land.

4 No Maſter, Brouſt, Preſident, Warden, Deane, Gouernour, Rector or chiefe ruler of any Colledge, Cathedrall Church, Hall, or houſe of any learning in any of the Vniuerſities of Cambridge, or Oxford, nor no Brouſt, Warden, or other head officer of the Colledges of Wincheſter or Eaton, nor the corporation of any of the ſame, by what title ſtile or name ſo euer they now be, ſhall, or may be called, ſhall make any lease for life, lines, or yeeres, of any their lands, tenements, or other hereditaments, to the which any tiſhes, arable land, medow, or paſture doth or ſhal appertaine, except that the one third part at the leaſt of the old rent, be reſerued & payde in coine for the ſaid Colledges, Cathedrall Church, Halls and houſes, that is to ſay, in good wheat after vi. s. viij. d. the quarter, or vnder, & good mault, after v. s. the quarter, or vnder, to be deliuered yearly vpon daies preſcribed, at the ſaid Colledges, Cathedrall church, Halls or houſes, And for default therof, to pay to the ſaid Colledges, Cathedrall church, Halls or houſes, in ready money, at the election of the ſaid Leſſees, their executors, administrators & aſſignes, after the rate as the beſt wheat and mault in the market of Cambridge, for the rents that are to be paid to the

Upon leases made by Colledges, the third part of the rent ſhalbe reſerued to be payde in coine.

Leases.

ble of the house or houses there : and in the market of Driforde, for the rents that are to be payde, to the ble of the house or houses there : & in the market of Winchester, for the rents that are to be payde to the ble of the house or houses there : and in the market of Windsoz, for the rents that are to be paid to the ble of the house or houses at Eaton, is, or shalbe sold the next market day befoze the saide rent shalbe due, without fraude or deceit. And all Leases otherwise hereafter to be made, & all collateral bonds or assurance to the contrarie by any of the said coꝝpozations, shalbe void in laue to all intents & purposes. The same wheate, mault, or the money coꝝming of the same, to be expended to y^e ble of the releife of the commons & dyet of the said Colledges, Cathedꝝall church, Halles & houses only, and by no fraude nor colour let nor solde away from the profit of the said Colledges, Cathedꝝall Church, Halles and houses, and the felowes & scholers in the same, and the ble aforesaid, vpon paine of depꝝuation to the gouernour, and chiefe rulers of the said Colledges, Cathedꝝall Church, Halles and houses, and all other thereto consenting. 18. Eliz.

**Wounken
barne in
Sulser.**

5 **B**ut this act, or any thing therein contained, shall not extend, or be in any wise pꝝejudiciall to any lease to be made, of a Barne called Wounken barne, with a certaine portion of tithes, rising, growing, and being in the parish of Southwꝝeke in the countie of Sulser, being parcel of the possessions of Pagdalen Colledge in Driforde, so that the terme demised in and by the saide lease exꝝeede not the number of tenne yꝝeres, from and after the feast of Saint Michael the Archangel next comming. Neyther shall this Act extende to any lease to be made by the Pꝝesident and Schollers of the Colledge of Saint John Baptist in Driforde, to any heire male of Sir Thomas White, late Knight and Alderman of London founder of the saide Colledge, which lease shall be made accoꝝding to the meaning of the foundation and Statutes of the said Colledge, of the Manoꝝ of Fiefield, and none other hereditaments. 18. Eliz. a statute not printed.

Fyfield demised to White.

1 For the validitie and strength of al leases made by any Abbots, Priors, Nunnes, Masters of Colledges, Chaunteries &c. before their seuerall dissolutions &c. S. Monasteries 4. 9. 11. 12. 26.

2 What leases or other acts made by the husband only, or by the husband and wife of landes of the wife, shall bind her or her heires. S. Women. 5.

3 What leases or other assurances may be made by any Bishop of their landes. S. Ecclesiast. 6.

4 What leases or other assurances may be made by any Master & fellowes, Deane and Chapter, Parson, Vicar, or other hauing spirituall iuyings. S. Ecclesiast. 7. 8.

5 How long leases of benefices with cure shal endure. S. Ecclesiast. persons. 9. 10. 11.

6 In what cases any spirituall person may take by lease any lands, personage or Vicarage, and in what not. S. Eccles. persons. 14, 16.

7 For leases made by tenant in taile of landes, whereof the reuer- sion is in the Queene. S. Recoueries. 4.

8 That a lessee for yeres may falsifie a recovery had against him in the reuer sion, S. Recoueries. 8.

9 What remedie the recouerors haue against the tenant for terme of yeares of lands recovered for rent due, or waste committed, S. Re- couerie. 8.

10 That lessees shall haue the same aduantage against the graun- tees in reuer sion, that they might haue had against the grauntors, S. Condition. 2.

11 Where lessees for life or yeres, are compellable to make Parti- tion. S. Partition. 4.

12 That no stranger Artificer not being Denizen, may take a lease of any dwelling house or shoppe. S. Aliens 14.

¶ Leetes, Liberties, Lawdayes, and stewards thereof.

Stewards in their Leetes shall enquire by the othes of the Jurors, if all the chiefe pledges or hedbozoughes, or their dosens which owe suite to the Court, be come.

And also if all the Jurors which owe suite to the Court, be come, and who be not.

And if there be any of the Lordes villaines which haue fled away and do continue in any other place, sauing in the Quenes demesnes, & if they haue continued in the same demesnes by the space of a yere & a day, and if any of the said villaines be in any other leete sauing in this.

And of Customes and seruices due to this Court withdrawen, how, by whom, and in what Bailifes time.

And of Burpsestures made in any land, wood, or water to annoyance.

And of walles, houses, hedges, ditches, made by, or broken downe to annoyance.

And of boundes pulled up and carried away.

And of waies and pathes streightened or stopped.

And of waters stopped, or turned, or leade out of the right course.

And of breakers of houses, & common thienes, and of their receivers.

And of those which commit petite larcenie in stealing of hens, geese, or sheafes of cozne.

And of thienes which steale clothes through windowes and walles.

And of those which go in the messlage of thienes.

And of huies and cries leuied and not purshed.

And of the escape of any felon.

And of outlatwes which retorne without the Quenes warrant.

And of bloudshed, and affrayes committed.

¶ B. b. iij.

And

Lietes, Liberties, Lawdayes &c.

And of the ranshmet of any woman which was not presented before the Coroner.

And of Clippers and forgers of money.

And of treasure found.

And of sellers of Cloth, and Curriers of leather dwelling out of market towne.

And of the assise of Bread and Ale broken.

And of false measures, false balances and weights, and of those which haue double measure, and buy by the greater, and sell by the lesser.

And of those which do continually haunt Tanneries.

And of those which do sleepe by day and watch by night, and fare well, and no man knoweth whereof they liue.

And of those which take Doves in Winter by any engins.

And of any person imprisoned which is after let go without warrant.

And of those which doe flee into any Church or Churchyard, and after depart without doing that which they ought to do. 18. Ed. 2.

Leather.

Copymasters.

2 ¶ Stewards of Lietes shall enquire, heare, and determine in their lietes all offences committed within their iurisdiction contrary to the statute provided. 5. Eliz. touching Tanners, Curriers, Shoemakers, and other artificers occuppying the cutting of leather, and also shal by their discretions examine all persons suspected to offende the saide act, or any parcell thereof. 5. El. 8. S. Leather.

Attachment in the marches.

3 ¶ Stewards of Lietes in their Lietes haue power to enquire of all attachments made by the officers of the Courtes of the East marches, or West marches, out of any of the Countiees of Westmerlande, Cumberland, or Northumberland, or the towne of New Castle vpon Tyne, and therein to procede, as they may vpon presentmentes taken before them in their lietes, of trespassse or assautes made against the Quenes peace 3. R. 6. 3. S. Marches.

Apparell.

4 ¶ Stewards in Lietes and lawdayes shall and may enquire, heare and determine all offences committed within the limites of their iurisdiction, contrary to the stat. provided. 1. & 2. P. & P. for the reformation of excesse in apparell, & where any forsaiture shall be found within the precinct of any liete or lawday, then the owner of the same liete &c. shal haue the one halfe, and he that will sue in any Court of recorde the other, And euery Steward of liete &c. hath authoritie vpon & conuicion of euery such offender to award proces vnto the Shireife of any shire for the apprehension of any such offender, which being apprehended shalbe committed to the Gaole &c. 1. & 2. P. & P. 3. S. Apparell. 17. 18.

Apparell.

5 ¶ Stewards in their lietes & lawdayes, may enquire of all offences, & forsaitures committed contrary to the stat. provided. 24. P. 8. for the reformation of excesse in apparell, and to aslesse fines vpon the offenders according to the said stat. 24. P. 8. 13. S. Apparell. 1. &c.

6 ¶ The Lord of every leete hath authoritie to enquire of al the offences committed contrary to the purport & forme of the stat. provided (1. Cl. for the preservation of Spawne & Frie of fish) within the precinct of the saide leete, such enquire to be had in maner and sort as comon amerçia- ments, or other things enquirable in leetes haue bene lawfully used to be made, and vppon every such presentment had in any leete or court by the othe of twelue men, of any offence made contrary to the saide statute, all forfeitures appointed for such offence shalbe vnto the Lord of the said leete and shalbe leued as amerçiaements for affraies committed within the pre- cinct of such leete haue bene used to be leued. And if the steward of a leete or some other for him do not charge the Jurie sworne in every leete to en- quire of all offences done within the precinct of the same leete, concerning the killing of spawne or scie of fish, Kepper, or Sheddor, Salmons, or Trouts, Dickrel, Salmon, Trout, or Barbel, being not of lawful length, and concerning the mase of nets, & other engins, he shal forfeite for every offence fortie shillings to the Q. and him that will sue for the same. And if any Jurie sworne in a leete hauing charge to enquire of the premisses do willingly conceale & make default in presentment of the offence & of- fenders, then the steward or bayliffe or their deputie may impanell ano- ther Jurie within the same leete, to enquire of such concealement, which being found, every of the Juroes so concealing, shall forfe. xx. s. to the Lord of the leete for every offence. 1. Cl. 17. 27. Cl. 11. 3 1. Cl. 10. S. Fish. 3. 4.

Destroying of Spawne.

7X ¶ The Lord of a Court, Leete, Lawday, or rape where any crow- net shalbe lacking, or not put in execution, shal haue & moitie of l. s. which shalbe forfeited by the parish, to township, hamlet, borough, or village wher the default shalbe. 24. H. 8. 10. 8. Cl. 15.

Crow nets.

8 ¶ Stewards of franchises, leetes and lawdayes haue power to en- quire of all & every branch of the statute provided. 33. H. 8. for the mainte- nance of artillery, of butts, and of the making & selling of bowes in their leetes and lawdaies, and to heare & determine the same. And also by their discretion to examine all persons not hauing bowes, shafts, and arrowes according to the said stat. 33. H. 8. 9. S. Archerie. And where any forfeat- ure given by the said stat. shalbe found in any leete, the Lord of the same leete shal haue the moitie thereof. S. Playes. 7.

Artillerie.

9 ¶ Stewards of leetes at their leetes haue authoritie to enquire, heare and determine all and singular offences committed by vitallers, ar- tificers, workemen, and labourers, against the stat. for them provided 2. Ed. 6. and to punish the offenders according to the tenor of the same stat. 2. Ed. 6. 15. S. Artificers. 1.

Vitallers, Artificers.

10 ¶ Stewards of leetes, liberties, & lawdaies, at their leetes & law- dayes shall & may from time to time, enquire, heare, and determine every of the offences committed contrary to the Act provided 4. & 5. H. 8. and 9. for the taking of spustres within the precinct of their Leete or libertie.

Spustres.

Crossebowes.
Handgunnes.

4. 5. 6. 7. 8. 9. 3. S. Captaines. 12. 13. 14.

I 1 ¶ It is lawfull to all Stewardes & Bailifes in their generall leetes and lawdayes, to enquire, heare, and determine every offence committed contrary to the tenor of the statute made 33. 8. concerning Crossebowes and handgunnes, so that alwaies no lesse fine then x. li. be assessed upon every such presentment and conviction, the one moitie of every such fine to be leuied to the vse of the Quene, and the halfe of the other moitie to the owner of the leete or lawday, by distresse, or Action of debt, and the other halfe of the saide moitie to be to the partie that will pursue for the same in any of the Quenes Courtes by A. J. wherein no W. C. P. &c. And if any Jurie sworne and charged to enquire for the Quene, of any offences committed contrarie to the saide statute, do wilfully conceale any of the saide offences, then the Stewardes or Bailifes before whom any concealment shalbe had, haue authoritie to charge and sweare another Jurie of twelve or more, to enquire of such concealment, and if such concealment be founde and presented by the saide Jurie, then euery of the first Jurie shall forfeite for every such concealment of every offence xx. s. the one moitie to be leuied to the owner of the leete or lawday by distresse, or Action of debt, and the other to the J. to be recovered by A. J. &c. wherein no W. C. P. &c. But if the presentment or suite for any of the saide forf. be not commenced within one halfe yere next after the offence committed, then the offendor shalbe thereof clearely discharged. 33. 8. 6. S. Gunnes.

Cappes.

I 2 ¶ Stewards in their leetes and lawdaies shall, and may enquire, heare, and determine euery of the offences committed contrary to the statute provided 13. Eliz. for the wearing of Cappes within the limites of their authoritie, and where any forfeiture shall be found within the precinct thereof, the owners of the saide leetes or lawdaies shall haue the one moitie, and the other shalbe distributed among the poore inhabiting within the same. 13. El. 13. S. Hattes. 1. 2.

Highwayes.

I 3 ¶ The Stewarde of euery leete or lawday hath authoritie to enquire by the othes of the suitors, of all offences committed within the leete or lawday against euery point and article of the statute provided 2. and 3. 8. 4. 9. for the amending of high wayes, and to assesse such reasonable fines and amerciamentes for the same, as shalbe thought meete by the said Steward, & the Steward shal make stretes indented of all the fines, forf. and amerciaments for the defaults presented before him, & shall deliver the one part thereof sealed and signed by him to the Bailife or high Constable of euery hundred, rape, lath, or wapentake wherein defaults shalbe presented, and the other to the Constable and Churchwardens of the parish wherein the defaults were made, to be deliuered yereley within vi. weekes next after the feast of S. Michael the Archangel. 2. & 3. 8. 4. 9. 8. 5. El. 13. And the said Stewards in their leetes & lawdaies shall heare

and

and determine euery offence, matter and cause, that shall growe or arise by reason of the statute provided 18. Cl. for the amending of high waies. (8. Cl. 9. S. Highwaies.)

14 **C** All Stewardes of leetes and lawdaies, in the same leetes and lawdaies haue authoritie to enquire of all defaults, contempts, omissions and offences, contrarie to the effect of the statute provided 31. H. 8. concerning the breede of horses of higher stature, and all presentments therof found shalbe certified by the steward, deputie steward, or court holder of the same leete or lawday in the next generall sessions of the peace to be holden in the countie where such presentment shall be found, or into the Custos Rotulorum of the same shire, within xl. daies after the presentment made. And if any such steward, deputie, or court holder, imbesill or conceale any such presentment, or doe not certifie the same as is aforesaid, he shall for. for euery offence xl. s. to the D. and J. that will sue for the same before the Iustices of peace in their quarter sessions by A. J. ac. But the for. of xl. s. for putting to pasture any horse, gelding, or mare, infected with scab or mange, upon any forest, chases, marishes, wast grounds or common fields, shalbe to the Lord of the Leete, where the offence shall be presented. 32. H. 8. 13. S. Horses. 3. 4. 5. 6. 7. 8. 9.

Breede of
Horses.

15 **C** Stewards in their leetes and lawdaies haue authoritie to enquire and determine euery default and offence of hostlers making horse bread not sufficient, lawfull, and of due assise, according to the price of coyne committed within the limites of their iurisdiction contrary to the statute in that case provided 32. H. 8. 41. S. Inholders. 2.

Horse bread.

16 **C** Stewardes of leetes haue authoritie to enquire of such as doe trace, destroy, and kill any hares in the sholy, with dogge, bitch, or other, wife; and after such inquisition found, the said steward shall assesse upon euery such offendour vi. s. by J. to be forsaite to the Lord of the Leete. 14. H. 8. 10. See Hunters. 2.

Tracing of
Hares.

17 **C** Stewarde in euery leete hath authoritie to enquire by the othes of ry. men, of all offences committed contrary to the statute provided 7. Ed. 6. to auoid the great prizes & excesse of wines, & euery such enquiry & presentment so taken & had, shall be of such force, as if the same were taken in the B. bench, and euery of the paines, penalties, & for. to be due by force of the said act, for any offence committed by any person, which shall be found by presentment before the saide Stewarde, by verdit of ry. men (and nobill, plaint, action, or information thereof commenced in any of the Quenes Courts of Record) shalbe equally devided into two parts, whereof one shall be to the D. and the other to the poore of the towne, or place where such presentment shalbe found. 7. Ed. 6. 31.

Wines.

18 **C** Stewardes of leetes, liberties and lawdaies, within their severall iurisdiccions, shall and may heare, enquire, and determine of all & euery offence or offences, which shalbe committed within the precinct of their liberties,

Peasants and
partriges.

Leather, Tanner, Currier, Shoemaker.

liberties, jurisdictions, or franchises, against the tenour of the acte made An. 23. Cl. for the preservation of Feasants and Partridges. 23. Cl. 10. S. Feasants. 2. 3. 4. 5.

**Cotages.
Inmates.**

19. ¶ All and every Lord & Lords of leete & leetes and their Stewards within the precinct of his & their Leete and Leetes shall have full power & authoritie within their severall leetes, to enquire and to take presentment by the othe of Jurors of all and everie offence and offences committed contrarie to the statute made An. 31. Cl. against the creating and maintaining of Cotages & Inmates, and upon such presentment had or made to lewie by distresse to the use of the Lord of the Leete all such summes of money as so shall be forsaited. And insoeoner it shall be lawfull for the Lord of every such leete where such presentment shall be made to recover to his own use any such forsaiture by action of debt in any of the Queenes Courts of Record wherein no W. C. B. 44. 31. Cl. 7. S. Cotages. Justices of peace. 101.

1. The Statute provided 1. Ma. 12. & 1. El. 17. against vnlawfull and rebellious assemblies, shall be read at every Leete and Lawday, or the effect thereof declared. And so shall the statute made 5. Eliz. 1. for the assurance of the Queenes power ouer all estates.

2. That the forf. of xx. s. for watering of hempe is to be recovered in a Leete. S. Hempe 1.

3. At what time of the yere a Leete is to be holden. S. Turne 1.

4. That the Lord of a Leete shall have the third part of the forsaiture for putting flesh to sale vpon fish daies. S. Fish daies 2.

¶ Leather, Tanner, Currier, Shoemaker.

**Gashing of
hides.**

¶ If any Butcher, or other person shall gash or cut the hide of any Bull, Ore, Steere, or Cowe, whereby the same shall be impaired, or if any Tanner offer, or put to sale any such hide so gashed or cut, he shall forf. for every such hide xx. s. 5. Cl. 8.

**Who may be
a Tanner.**

2. ¶ If any person (which at the feast of Saint Michael, Anno. Do. 1559. had not landes, rentes, profits &c. of some estate of freeholdes to the cleere yearely value of fortie poundes or above, or whose Tanhouse was not at the same feast, is or shall be in a citie, borough, towne corporate or market towne, where searchers and sealers of leather be usually appointed) doe tanne any leather, or take any profite thereby, he shall forsaite all the same leather: except such as at the saide feast had any tanhouse and did occupie tanning of leather, and except an apprentiee to a Tanner, and except such as were then, or since, or hereafter shalbe taught as covenant or hired servant for that purpose by the space of seven yeres in the mysterie of Tanning: or wise to a Tanner, or sonne of a Tanner which hath bene brought up, and bled the mysterie of tanning of leather by the space of four yeres, or the sonne or daughter of a Tanner, or such person who shall marry such wife, or daughter to whom a Tanner shall leave

leane his tanhouse and fatten. 5. Cl. 8.

3 ¶ If any person using the myserie of tanning of leather, do suffer a ny hide to lye in the lyme a longer time then the haire falleth off, or may be taken off, or shall put the same into the lyme after the haire may be taken off, he shall forfeite the same hide, or the value thereof. 5. Cl. 8.

How long the hide shall lye in lyme.

4 ¶ If a Tanner employ any licour, stiffe or workmanship, about the tanning of leather but onely lyme, coluerdung, or henne dung, and that in colde water onely, and wofes made of colde water, and when barke only, without mixture of any other thing, he shall forfeit the same leather or the value thereof. 5. Cl. 8.

What stiffe may be employed about tanning.

5 ¶ If a Tanner put an hide or skinn in tanne wofes or licour made whole or warmed in any vessell, to be set or coured in any tanhill or other wise, or doe over lyme any hydres in the lyme pittes, or put anie hydres into any tankats or vessels before the lyme be perfectly soaked and wrought out of them, or shall lay or hang his leather wette in the frost, untill the same be frozen, or shall drie or parch his leather with the heate of the fire, or Summer Sunne he shall forfeite the same hide or leather, or the value thereof. 5. Cl. 8.

No hide shall be put in tanne wofes that be hot, nor shall be frozen.

6 ¶ If a Tanner shall tan any hides being putrified, rotten, or tainted by any meanes, or shall negligently worke them in the wofes, or shall not renue the wofes as often as need shall require, he shall forfeite the same hides, or the value thereof. 5. Cl. 8.

Rotten hides or evil wrought.

7 ¶ If a Tanner do suffer the hides for the better sole and clout leather to lye in the wofes any lesse time then xj. moneths, and for the upper leather to lye lesse then ix. moneths at the least, or shall insufficiently tanne any hide, or shall tanne any Dre, Stære, or Cowe hides other wise then whole, without cutting of any bellies commonly called wombs or peeces from the same, (Hides for clout leather to be cut into thre or foure bendes overthwart the whole hide onely except) or shall put to sale any tanned hide rased by the workmanship, or other wise, or by using any other thing or stiffe, or in other sort then is here limited, hee shall forfeite the same, or the value thereof. 5. Cl. 8.

How long leather shall lye in wofes.

Insufficient tanning or currying.

8 ¶ If any person put to sale or depart with, any kind of tanned leather, red and unwrought but sufficiently tanned, and thoroughly dyed, and put in open faire or market in the places thereto prepared, or before the same be searched and sealed, or do depart with any Dre, Stære, or Cowe hide, but only whole without cutting any wombs or other peeces (except clouting leather to be cut in bendes as is aforesaid) before the same be searched and sealed, he shall forfeite the hides, skins, or leather so solde, or the value thereof, and w. s. viij. s. for every hide or peece of leather, and ij. s. for every dozen of Calves skins. 5. Cl. 8.

Unwrought leather.

9 ¶ If a Tanner shall decyph the myserie of a Shomaker, Currier, Butcher, or of any Artificer using cutting, or working of leather, he shall forfeit

A Tanner shall not use other occupations,

Leather, Tanner, Currier, Shoemaker.

forfaite every hide & skinne so wrought or tanned, during the time that he shall vse the misterie of tanning, or the value thereof. 5. Cl. 8.

Bullhide, horse
hide, sheepe
skinnes.

10. Cl. 8. If a Tanner shall tanne any Bull hide, Horse hide or sheepe skin, or put to sale, exchange, or depart with any of the same being tanned, he shall forsaite the same, or the value thereof. 5. Cl. 8.

Skinnes in
the haire.

11. Cl. 8. If any person shall buy, make any contract for, or bespeake any rough hide, or rawes skinnes in the haire, but only such as shall take the same, or such as by this statute may vse the misterie of tanning, & shal tan the same (except salt hides for the necessarie vse of ships) he shall forsaite the same hides, and skins so bought, or the value thereof. 5. Cl. 8.

Buying of tan-
ned leather to
be converted
into made
wares.

12. Cl. 8. If any person do buy, bespeake, or take promise to haue any tanned leather not wrought and converted into made wares, but onely such as will worke & convert the same into made wares, he shall forsaite the same leather or the value thereof. But Sadlers & Cordlers may sell their neckes & shreds of red tanned leather without incurring any forsaite. And euery artificer & other person vsing to convert tanned leather into made wares, as well stranger bozne as other, may lawfully buy all kinde of tanned leather, to convert the same into made wares, at Leaden hall in London vpon euery Monday, the same being first duely searched, sealed, & registred as is hereafter limited. The hide & skins of Ore, Steere, Bull, Cow, Calfe, Deere red & fallow, goats & sheepe being tanned or tawed, & euery salt hide, is and euer hath bene reputed leather. 5. Cl. 8. S. 36. 37.

That hides
or skinnes be
called leather.

Currier.

13. Cl. 8. If a Currier do curry any leather in any other persons house but only in his owne, & that being scituate in a corporate or market towne, or do curry any leather being not well tanned, or not thoroughly dry after his wet season (in which wet season he shall not vse any scale, brin, or other deceitfull mixture; or meanes to corrupt the same) or do curry any leather mette for utter sole leather, with any other stuffe, then with hard talow, or any leather mette for ouer leather and inner soles, but onely with fresh stuffe & hot salt, and both thoroughly licoured as much as the leather will receiue, vntill it can receiue no moze, or shall burne or scalde, or shane too thinne, any leather in the currying, or doe not worke the same sufficiently in all pointes, he shall forsaite for euery offence vt. s. viij. d. and the value of euery such hide or skinne so marred &c. 5. Cl. 8.

Currier bur-
ring leather.

14. Cl. 8. If a Currier shal gash or hurt any leather in shauing or by other meanes, he shal forsaite to the partie grieved double so much as the leather shalbe impaired thereby. All currying & dressing of leather called dry currying and frising, shalbe construed to be dressing and currying after the manner of Spanish leather, of what colour soeuer it be. 5. Cl. 8.

Dye currying
and frising.

Currier exer-
cising another
trade.

15. Cl. 8. If any currier shal exercise the seate of a Tanner, Cordwainer, Shoemaker, Butcher, or other artificer vsing cutting of leather, during the time that he shall occupie the mysterie of a Currier, he shall forsaite five shillings viij. pence for euery shyn that he shal currie, during the time that he

he shall so vse any of the mysteries aforesaid. 5. Cl. 8. Neither shall any Sadler, Cordier, Cordwainer, or other artificer dwelling in London, and the suburbs thereof which shall cut leather to make wares thereof, curry or dresse any thereof in his owne house, or by his servants, upon paine of forfaiture thereof to the M. and J. to be recovered by J. J. &c. wherein no M. C. D. &c. 5. Cl. 6. 19.

16 ¶ If a Currier refuse to curry any leather to him brought for that purpose by any cutter of leather, or his sernaunt bringing with him good stuffe for the perfect licozing of the same, in the presence of the said cutter, or his servant, if he will be present, or els in his absence, & that in al things well, and within five daies in the Summer, & 1. daies in y^e Winter, after he shall take the same in hand, he shall forfait to y^e party græued for every pce of leather not in this maner curried & speedily drested 1. s. 5. Cl. 8.

Which what
time leather
shal be curried.

17 ¶ If the wardens of the Curriers or their assignes, doe not search and seale al leather brought to any of their company to be curried, which shalbe sufficiētly curried, within one day after currying & request, taking for every hide after the rate of 1. s. 8. for the Picker, and for five dozen of Calves skinnies i. d. of the Currier, they shall forfait for every hide so not searched and sealed five shillings eight pence. 5. Cl. 8.

Wardens of
the Curriers
shal search and
seale leather.

18 ¶ If any person dwelling in London, or being free of the Cittie dwelling within thre miles of the same, occupying wet curried leather in his art, shall put any leather to be curried but to such persons as shalbe free of the company of the Curriers in London, he shall forfeit, all such leather or the value thereof. 5. Cl. 8.

Currying of
leather in Lon-
don.

19 ¶ If a Shomaker shall make any bootes, buskins, shoes, Startups, slippers, or pantables, or any part of them of English leather wet curried (other then Deares, Calves, or Goates skinnies, made or drested like unto Spanish leather) but of leather well tanned, & curried, in forme aforesaid, or leather well tanned onely, and well sewed with good thred, well twisted, and sufficiētly waxed, with waxe wel rosened, and the Striches well drawn with handlethers, without mixing of Peates leather and Calves leather in the over leather, he shall forfait for every paire of shoes, bootes &c. made, solde, or put to sale to the contrarie, iij. s. iij. d. and the value of the same. 5. Cl. 8.

Shomaker.

20 ¶ If a Shomaker shall put into any part of shoes, bootes, buskins, startups, slippers or pantables, leather made of sheepes skinnie, Bull, or Horsehide, or into the upper leather of any shoes, startups, slippers or pantables, or into the neather part of any bootes (the inner sole and heeles of the shoe only excepted) any part of a hide from which the sole leather is cut, called the wombe, necke, flanke, flanke, pole, or cheeke, or into any better sole any other then the best of the Dre or Stære hide, or into the inner sole, other then the wombes, necke, pole, or cheeke, or in the trefwelles of the double soled shoes other then the flanks of the foresaid hides, he shall forfait

What leather a
shomaker shal
put into his
ware.

Leather, Tanner, Currier, Shoemaker.

forfaite for every paire &c. *ij. s. iij. d.* and the value of the same. *5. Cl. 8.*

No winter
wares shalbe
made of dyie
Leather.

Selling wares
vpon y Sunday.

Foure searchers
within Londo.

Seales of Lea-
ther.

Leather brought
to Leaden Hal.

Bartholomew
Fairst, South-
warke market.

Searchers in
townes, liber-
ties, fairsts.

21 **C**f a Shoemaker do make betwene the last of September & the xx. of Aprill, any shoes, bootes, buskins, startups, or slippers meete for any person to weare, exceeding the age of foure yeres, wherein shalbe any dyie English leather (other then calues or goates skins made or dyessed like vnto Spanish leather) He shal thewe to the intent to sell any shoes, bootes, &c. vpon the Sunday befoze diuine service in the fore none be ended, he shal forsaite for every paire made, sold, thewed or put to sale to the contrary *ij. s. iij. d.* and the value therof. *5. Cl. 8.*

22 **C**The Maior and Aldermen of London shal yeerely vpon paine of *xl. li.* (to be forsaited to the *M. and J. &c.*) appoint *iiij.* Searchers, which being swozne shal once every quarter of the yere at the least, make true search of al wares made of tanned leather in every house and place within the Citie of London & thre miles of the same where any Shoemaker, Sadler, Cordler, or other artificer vsing cutting of leather doth dwell or occupy any of the occupations of cutting of leather, and after search shal make true presentment in writing to the Maior & Aldermen, of every default they or any of them shal finde in the making, selling or putting to sale of any bootes, buskins, startups, shoes, bridles, saddles or other things, or wares made of leather contrary to y true meaning of this act. *5. Cl. 8.*

23 **C**The Maior and Aldermen shal vpon the like paine yeerely appoint other foure expert & honest persons, which being swozne shal search every tanned hide, skinne or leather, which shal be brought to Leaden Hall Market, or to any other fairst or market within thre miles of the Citie, and so many as they shal finde sufficiently tanned, they shal seale with a seale for that purpose prepared, which shal remaine in the custody of one of them. *5. Cl. 8.*

24 **C**f any person bring to his house in London any redde tanned leather, be it sold befoze or not, befoze he bring the same to Leaden hall to be viewed whether it hath bin searched or sealed, and to be registred by the searchers with halfe the fees hereafter expessed thereof to be paid, he shal forsaite for every hide *vi. s. viij. d.* to the *M. & J.* to be recovered by *A. J. &c.* wherein no *M. C. W. &c.* But this article extendeth not to leather brought to Bartholomew fairst or Southwarke Market, searched, sealed and registred according to this act. *5. Cl. 8.*

25 **C**All Maiors, Baylifes, & other head officers of citties, boroughs and market townes, and all Lordes of liberties, fairsts, and markets shal vpon paine of *xl. li.* (likewise to be leuied & imployed) appoint and sweare yeerely two, thre, or moze honest and skillfull men, to search & vie to within their offices or liberties, which shal as often as neede shal be, or they thinke good, make like search within their limites, & shal haue a seale or marke for that purpose, which one of them shal keepe, & therewith shal seale or marke such leather as they finde sufficient & no other. And if they

or any of them find any leather sold or offered to be sold or brought to be searched or marked insufficiently tanned or curried, or any bootes, shoes, or other thing made of tanned or curried leather insufficiently tanned, curried or wrought contrarie to this statute: It shalbe lawfull for them to seise the same as forsaith, & to retaine the same in their custodie, untill it be tryed by fire expert me appointed by such maior, bailife, &c. within whose liberty such seisure shalbe, & that triall to be made within xv. daies after such seises upon y^e othes of the tryers. And y^e said seales & searchers shal within the limites of their searches, keepe a booke or register, and upon request to them made by the Buyer or Seller, shal register all such bargaines as shalbe made for leather, hides & skins, and the names & dwelling places of all such persons which shal buy & sell any Leather, hides or skins during the time of the faire or market with the prices, upon paine of forsaithure of iij. s. iij. d. for not registering of every Dicker of Leather, and ij. s. iij. d. for every dozen of Calves skinner, and so after the rate. And the sayd Searchers and Sealers shal take for their paines for sealing of Leather, cutting of the wombes, and registering therof, of the seller of every dicker of leather so entred y. d. And for every vi. dozen of Calves skins y. d. and of the buyer after the same rate, & no more upon the paine aforesaid. But this act is not prejudiciall to the chauncellores, vicechauncellores, taxors and schollers of the vniuersities of Oxford and Cambridge, concerning the authority of search of tanned leather, or any y^e for. for the same, which they lawfully had before the making of this act, so as they obserue such order in all things about searching, sealing, and registering of leather, as by this act is appointed, upon the paines contained in the same. 5. Cl. 8.

Oxford.
Cambridge.

26 ¶ If any searcher so appointed, shal not doe his duetie, as in refusing to seale good leather, making default in search, in allowing y^e which is sufficient, or in concealing of faults, the Maior, Bayliffe, Lord of faires, and other persons which shal appoint searchers and sealers shal for. for every offence xl. s. to the M. and J. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 5. Cl. 8.

If the searcher
do not his duty

27 ¶ If any person will deny the searchers appointed, to enter into his house, or other place to view and search all tanned leather & wrought ware, and to seise and carry away all such as they shal find insufficiently tanned, curried, or wrought of euill stuffe, he shal forsaite v. li. to the M. & J. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 5. Cl. 8.

Denying of
search.

28 ¶ If the Searchers or Sealers doe not after tanning, and before carrying of any leather brought to be searched and sealed, cut of so much of the hide truly tanned, to be sold to a Shomaker, Cordwayner, or Cobler, into wombes, as they shal by their othes thinke vnnēete to make better sole leather of, the saide Shomaker &c. shal forsaite for every hide not cut ij. s. iij. d. and the Searcher as much for every Dicker of leather not so cut. And if a Shomaker &c. doe carry any Dre or Stērehide tanned, wherof

Cutting of
wombes.

Leather, Tanner, Currier, Shoemaker.

As forfeited
stuffs shalbe
solde.

whereof any sole leather shalbe cut, out of any Faire or Market whole before the wombes be cut off, he shall forfe. every such hyde, or the value, and vj. s. viij. d. to the M. and J. to be rec. by A. J. &c. wherein no W. &c. C. D. &c. But no person to whom such unlawfull Leather or stuffe shalbe given by this act, shall give or sell the same to any person that shall sell the same, upon paine that the Waper shall forfeite for everie parcell sold contrary &c. vj. s. viij. d. 5. Cl. 8.

Registering of
Leather.

29 **C** If any person sell, exchange, or put away any tanned Leather, redde and unwrought, except he cause the same to be registered & the price thereof, he shall forfeite the value of the same Leather. And whosoever doth buy any tanned leather, before the same be searched & sealed, or doth carry the same out of any market or faire untill it be registered, he shall forfeite the same or the value. 5. Cl. 8.

The Wardens
forf. for the
workemens
offence.

30 **C** If any Currier, Shoemaker, Sadler, or other artificer using, cutting, or working of leather, dwelling in London or within three miles compass, do not currie, put into, make and worke their wares belonging to their occupations, sufficiently and substantially according to the true meaning of this statute, the wardens of every of the said companies shall forfeite for every offence done by any person under their order, suruey and serch v. li. And every artificer inhabiting within the citie of London, or iij. miles compass of the same, using any manuell occupation of cutting or working of leather into made wares, shall contribute, pay, & be under the suruey and search of the wardens of such companies of the said citie, as the artificers commonly using the like occupation, being free men of the same citie, & of the same company be, concerning only the wares & stuffe made of or with leather, in like manner as other free men of the same company do to the wardens of their company within the said citie. 5. Cl. 8.

Wares in Lon-
don shal be sold
in open place.

31 **C** If any artificer using cutting of leather shall sel in London or within three miles compass thereof, any wares belonging to his misterie, but onely in open shop, common Faire or market, he shall forfeit all the wares so sold, and r. s. for everie time. All which forfeitures aforesaid of summes of money (except such as are otherwise before disposed) shalbe divided into iij. equal parts: whereof one shall be to the M. &c. an other to him that will first sue by A. J. &c. wherein no W. &c. C. D. &c. And the third part shall go to the Citie, Borough, Towne, Lord of libertie where the offence shall be committed. And all such leather, bootes &c. wares, stuffe, and other thinges made of tanned or curried leather, which shalbe found insufficiently wrought, tanned or curried, & by this act declared to be forfeited, & shalbe seised by any person finding the fault thereof within London, or iij. miles compass thereof: shalbe brought to the Guildhall, prayed by indifferent persons, & the value thereof divided into iij. parts, whereof the first seisor shal have one, the Chamber of Lond. an other, & the third shalbe distributed amongst poore people of the said citie and circuit, by the discretion

How the for-
feitures shalbe
employed.

discretion of the Mayor and four Aldermen &c. And all leather, bootes, shoes, and other wares insufficiently wrought, tanned or curried, which shalbe found in any other Citie, Towne or place, and seized as forfeited, shalbe brought to the common hall of such Citie &c. or to some convenient and open place appointed by the Lord or his deputie where no hall is, and there prized as is aforesaid, and one part shalbe distributed amongst the poore, and in other deeds of charity in those parties by the discretion of the Mayor, Bailifes, Lordes of liberties &c. And the other part delivered to the Mayor, Bailifes, &c. to the use of the commonalte of such citie borough &c. And where no such officers be, to the Lord of the libertie where such forfeiture shalbe committed, or seisure had. And the third part to the first seisor of such insufficient wares. 5. Cl. 8.

32 It is not lawfull for any person to make any pelts, that is to say, to pull, shear, clipp or take away the wool of any sheepskin, or lambskinne, or to buy any skinne of any Stagge, Hinde, Bucke, Doe, Goate, Faume, or Rpd, or the pelts or skins of any of them, unless such person doe make or cause to be made thereof tawed or unlawfull tanned leather or parchement, or other wise convert the same into Semits, Dannels, or other his owne necessaries uses, upon paine that euery person so making pelts or buying any of the pelts or skins aforesaid, shall forfeit the value of all such pelts or skins so made and bought, and y. s. by. d. for euery skinne or pelt. 5. Cl. 22. 8. Cl. 14.

33 It shall not be lawfull for any person to lade, shippe, or carie in any vessel or shipp, or otherwise, any leather, tallow or raw hides, or intent to transport the same into any place beyond the Seas, or into Scotland by land or by seas (other then Scottish hides to be brought to Barrow. 5. Cl. 8.) upon paine of the forfeiture of the said leather, tallowe, or raw hides so laden or transported, and treble the value thereof, to be forfeited by the owner or owners. And also the owners of the said ships or vessels knowing of such offence, shall forfeit the said ships or vessels, with all their apparell and furniture to them belonging. And the masters and mariners knowing of such offence, shall haue imprisonment by the space of one yere, without baile or mainprise, & forfeit all their goods and cattells to the A. and J. to be recovered by A. J. &c. wherein no W. &c. But if any owner of any such ship or vessel, or any master or mariner, knowing any such transportation of leather, tallow or raw hides, do not within iij. monethes next after his knowledge thereof, or after his returne into this realme, giue good information bona fide before any of the Barons of the Exchequer, or before the Lord President or Counsaill in the North, or in the marches of Wales, or before the head officer of any Port, wher he shal first arrive upon his oath, of the number and quantitie of leather, tallow & raw hides so transported, and by whom, where, and in what ship or vessel, & afterward shal be ready upon reasonable warning by proces,

Making of
pelts.

Transporting
leather, tallow
or raw hides.

Owners of
shippes.

Bariners.

Leather, Tanner, Currier, Shomaker.

to iustify and proue the same for the *D.* then such owner, master, or mariner shall not forfeit his ship, nor incur the forfeitures aforesaid. 18. Cl. 8.

Buying Leather
to transport by
licence.

34 ¶ Every person which hath the *Queens* licence to carry over sea any tanned leather, may buy in open faire or market so much as hee shall bee licenced to transporte, so that the said licence bee shewed to the chiefe Officer of the said faire or market, which Officer shall write vpon the backside of the licence, how much leather the party licenced hath bought, & the day, time, & place of buying & same, that thereby it may appeare how and when euery such licence shall be satisfied. 5. Ed. 6. 15.

Transporting
of shoes,
bootes &c.

35 ¶ No person shall ship or cause to be shipped (to the intent to transport over the sea, as marchandises to be sold or exchanged there) any shoes, bootes, buskins, startups, or slippers, vpon paine to forfeit the same to the *D.* & him that wil lesse or sue for the same, by A. 3. 11. wherein no *W.* 11. C. 10. 11. But this act shall not be preiudiciall to any person for transporting so much of the foresaid wares, vnto the Isle of Man, as is necessarie for the furniture of the *Queenes* subiectes there. 5. Ed. 6. 15.

Engrossing of
tanned Leather.

36 ¶ If any person do buy or ingrosse any kind of tanned leather, to the intent to sell the same againe (except sadlers, girdlers, cordwayners, and other artificers, making wares of leather which may buy such kinde of tanned leather, as is necessarie for their occupying to bee wrought by them) he shall forfeit the same or the price thereof. But the foresaid artificers may sell their wombes, shreddees, and neckes which they cannot occupy about their wares. 5. Ed. 6. 15. S. 12.

Selling of tanned
Leather wrought.

37 ¶ It shall not be lawfull to or for any currier or curriers, or any other person or persons whatsoever within this realme of England by any waies, means, gifts, practise or deuise whatsoever, to bargain, sell, exchange or put away any tanned leather unwrought, and not cut and converted into some kinde of made wares now vled, or which hereafter shall bee vled within this realme, vpon paine of forfeit of double the value of the said leather to the *D.* and *J.* to bee recovered by *B.* *P.* or *J.* wherein no *W.* C. 10. 11. any former law, statute, or other thing &c. notwithstanding. 27. Cl. 16.

A Tanner his
executors and
administrators.

38 ¶ It shall and may be lawfull to and for all and euery person or persons whatsoever, vsing or occupying, or exercising the trade of tanning of leather, or to the executors or administrators of euery or any such persons to bargain, sel, and put away such leather as shall bee by them or any of the tanned, in such sort, maner and forme as they might haue done before the making of this act, any thing herein &c. notwithstanding. 27. Cl. 16.

That persons
may sel tanned
Leather.

39 ¶ It shall be lawfull to all and euery person and persons, to whom any leather by force of any former law or stat. shal be forfeit. and to all other person & persons, to whose hand any tanned leather shall come, as executor or administrator to any artificer, vsing to worke leather into wrought wares, or by bequest from such artificer, to bargain, sell and put away such

such tanned leather, as shall come vnto them or any of them, by any the means aforesaid, to any Artificer vsing to conuert tanned Leather into wrought wares. And likewise to all artificers vsing to conuert tanned leather into wrought wares, which shall buy any tanned leather, to the intent to worke the same into wares, to sell and put away the wombes, and shredde and neckes, which they cannot occupy about their workes. This act, or any other act or stat. ec. notwithstanding. 27. El. 16. To continue for vi. yerres next after this present session of parliament, & from thence to the ende of the next Parliament then next following.

1 What subsidie or custome shall be paid for leather transported. S. Custome. 6. 7.

2 For the shipping and transporting of certaine leather. S. Marchants 4.

Limitation of prescription.

No person shall sue, haue, or maintaine any writ of right, or make any prescription, title, or claime, to or for any manors, lands, tenements, rents, annuities, commons, pensions, portions, corodies, or other hereditaments, of the possession of his Auncester, or Predecessor, and declare and alleadge any further seisin or possession of his ancestor or predecessor, but onely of the seisin or possession of his auncester or predecessor, which hath bin, or now is, or shalbe seised of y^e said manors lands &c. or other hereditaments, within three score yerres next before the Teste of the same writ, or next before the said prescription, title, or claime, so sued, commenced brought made or had. 32. H. 8. 2.

Writ of right.

Sixtie yerres.

2 No person shall sue, haue, or maintaine, any Assise of Mortdaucestor, cofinage, ayle, writ of Entre upon disseisin, done to any of his auncestors or predecessors, or any other action possessorie, upon the possession of any of his auncesters or predecessors, for any manors, lands, tenements, or other hereditaments, of any further seisin or possession of his ancestor or predecessor, but onely of the seisin or possession of his ancestor or predecessor, which was, or hereafter shall bee seised of the same manors, lands, tenements, or other hereditaments, within fiftie yerres next before the Teste of the originall of the same writ brought &c. 32. H. 8. 2.

Actions possessorie.

Fiftie yerres.

3 No person shall sue, haue, or maintaine any action for any manors, landes, tenements, or other hereditaments, of, or upon his own seisin or possession therein, aboue xxx. yerres next before the Teste of the originall of the same writ brought &c. 32. H. 8. 2.

His own seison.

Thirtie yerres.

4 No person shall make any auowry or cognisance, for any rent, suit, or service, and alleadge any seisin of any rent, suite, or service in the same auowry or cognisance, in the possession of his auncesters, or predecessors, or in his owne possession or in possession of any other whole estate he shall pretend or claime to haue, aboue fiftie yerres next before the making of the said auowry or cognisance. 32. H. 8. 2.

Auowry.

Fiftie yerres.

Linnen Cloth.

Forme done.

30. yerres.

Barre for default of seison within the time of limitation.

Attaint.

Right of a widowson.

Affise of barraine presentment.

Ward.

The contentes of Dowlas & Lockerum.

5 ¶ **All Formedons in reuerter, Formedons in remainder, and Scire facias** vpon fines, of any manors, landes, tenements, or other hereditaments, shalbe sued & taken within fifty yerres next after the title & cause of any action fallen, and at no time after the saide fiftie yerres passed. 32. H. 8. 2.

6 ¶ **If any person at any time do sue any of the saide actions or writs** of any manors, landes, tenementes, or other hereditaments, or make any auowrie, cognisance, prescription, title, or claime, of or for any rent, suite, service, or other hereditamentes, and cannot proue that he or his ancestors, or predecessors, were in actual possession or seison of and in y^e same at any time within the yerres befoze limitted, & in maner and forme as is aforesaid, if the same be traueled or denyed by y^e plaintife, or demandante, or auowant, or by the tenant or defendant: Then and after such triall therein had, euery such person and his heires, shall from henceforth be utterly barred for euer, of all and euery the saide writs, actions, auowries, cognisance, prescription, title and claime hereafter to be sued, had, or made, of, and for the same manors, lands &c. or other the premisses, or any part of the same, for the which the same action, writ, auowrie, cognisance, prescription, title, or claime shalbe at any time had, sued, or made. But if any false verdit be geuen in any of the saide actions, suites, auowries, prescriptions, titles, or claimes, the partie graued by the same, shal and may haue his attaint vpon the same, and his recourcy, execution, and other aduantages therein, in like maner and forme, as heretofore hath bene accustomed. 32. H. 8. 2.

7 ¶ **But this former act, or any matter therein coneyned doth not extend** to any writ of right of aduowson, Quare impedit, or affise of barraine presentment, nor iure patronatus, nor to any writ of right of ward, writ of ranshment of ward, for the wardship of the body, or for the wardship of the landes, tenements, or hereditaments holden by knights service, nor to the seisor of the wardship of the body of any warde, nor to the seisor or wardshippe of any lands &c. holden by knights service. But euery person body politique & corporat, their heires and successors, shal and may haue and pursue all and singular the saide writs of right of aduowson, Quare impedit, Affise of barraine presentment, iure patronatus, writtes of right of warde, Ranshment of warde, and also seile the wardshippe both of the body and of the landes &c. holden by knights service in like maner to all intents, as they or any of them shoulde or might haue done befoze the making of the sayd act 32. H. 8. Anno 1. M. 5.

Linnen cloth.

If any person, English or stranger, Denizen or Alien, both put to sale any whole peece, or halfe peece of Linnen clath called Dowlas or Lockerum, vnlesse there be mencion expessed vpon euery of the saide whole peece or halfe peece so put to sale, the whole number of the yards or elles that

that is conteined in the said whole p[ar]ce, or halfe p[ar]ce, hee shal forf. y^e said whole p[ar]ce or halfe p[ar]ce to the D. and him that will seise and sue for the same by A. J. 4c. or otherwise, wherein no T. 4c. E. 4c. 28. H. 8. 4.

2 ¶ If any person do wittingly cast or cause to bee cast any peece of linnen cloth ouer a beam or peece of timber, and doeth by any deuise rache, stretch, & draw the same of length and breadth, and then doeth with battles, doers, peece of timber of wood, beat the same, & cast thereupon any deceitful licores mingled with choke or other like things, or doth wittingly vse, or cause to bee used any other act or mean, to, in, or with, any kind of linnen cloth, whereby the same is deceitfull or worse, to, or for the good vse thereof: then he shal forf. his said cloth to the D. & J. and suffer one moneths imprisonment at the least, & pay such fine as shalbe assessed by the Justices, before who he shalbe condemned. 1. Cl. 12. S. Iustices of peace. 61.

Stretching or
impairing of
Linnen cloth.

Livery & Ouster le maine.

The D. shall haue primer seisin after the death of those which hold of her in chiefe, of all the landes and tenements whereof they were seised in their demeane as of fee, of what age soeuer their heires bee, by taking the issues of the same lands until inquisition be made, as the custome is, and that she hath receiued the homage of such heirs. Prærogatiua Regis 17. Ed. 2. 3. Marleb. 52. H. 3. 16.

The D. shal
haue primer
seisin.

2 ¶ When any person which holdeth of the D. in Capite doeth die, & his heire doth enter into the land that his auncester held of the D. the day of his death, before he hath done homage to her grace and receiued of her seisin, hee shall thereby gaine no freehold, and if hee die seised during that time, his wife shall not bee endowd of the same lande. But this is no ment of Socage and small tenures. Præro. Reg. 17. Ed. 2. 13.

An heire en-
tering into his
hold of the D.
without livery

3 ¶ If it bee found for the D. 4c. that the heire of her tenant is within age, where in deede such heire is at the same time of full age, or of a moze or greater age then is conteined within such office: In every such case such heire shall and may at his verie full age, or after prosecute a writ of Ecate probanda. And sue his livery or ouster le maine as his case shall lie, and haue the profits of his lands &c. from that time of his verie full age, any such untrue office, or any law or custome notwithstanding. 2. Ed. 6. 8.

The heire of
full age found
within age.

4 ¶ All liveryes to bee sued out of the D. uenes handes, her heires and successors of any lands, tenements, rents reuerfions, remainders, or other hereditaments whatsoever, be in the order, suruey and gouernance of the court of wardes of liveryes, and the ministers of the same. And the master, surueyor, attorney, and generall receiuer of the said court, or three of them (whereof the master or surueyor to be one) haue authoritie, after offices and inquisitions found, to couenant and indent with euery person for his livery of the landes, tenements, and hereditaments, comprised or not comprised in such offices, and to set, and rate the prise for the same, and to appoint the dates of payment thereof, by obligation or obligations

Liveryes be in
the order of the
court of wardes

Livery & Ouster le maine.

taken for the same to the Queene, which obligations so made and every of them, be good and effectuell in law and of like strength, as writtings obligatory made by any lay person, by authority of the statute of the Staple, beene ought to be. And all and singular billes for any special or generall livery to be sued, assigned by the hands of the said master, surueour, attorney, receiuer, or three of them, whereof the master or surueour to be one, is a good and sufficient warrant to the Chauncello of England, and of the Duchy of Lancaster, and all other Chauncellours and officers having power to passe liversies vnder any of the Quenes seales, for the making out, sealing and deliuey of any liversies according to the purport and effect of such billes with other clauses of course necessary for the same. 33. H. 8. 22.

**Warrants to
passe Liversies.**

**No livery of
lands to the
peerly value of
v. li. before
office.**

**Warrants for
writs to find
offices.**

5 ¶ No person having landes or tenementes above the peerly value of v. li. shall haue or sue any livery before office found before the Escheto or other commissioner &c. by vertue of the Quenes writ or commission &c. directed out of the Chauncerie or any other courtes &c. which writtes or commission shall not passe out of the Chauncerie or any other courts having authoritie to make such writtes or commissions, but by a warrant or bill assigned and subscribed with the handes and names of the Master, Surueour, Attorney, & Receiuer of the court of wards and liversies, or three two or one of them, to be directed and deliuered to the Chauncello of England, or to any other Chauncello or officer, having power to award such writs. 33. H. 8. 22.

**General livery
without inquisition.**

6 ¶ But every heire which is in case to sue Livery, where his landes and tenements exceede not the peerly value of v. li. shall lawfully sue forth his generall livery by warrant made from the court of wardes and liversies, although there be no other inquisition thereof had nor certified, and shall pay the fees of every such livery as he hereafter expressed for the fees of a generall livery not exceeding the yearly value of v. li. as though the same livery were made and sued forth upon an office found by vertue of the Quenes writ. 33. H. 8. 22.

**A general livery
of lands not
exceeding xx. li.**

7 ¶ Every person may sue at his pleasure a generall livery after office thereof by writte or commission found, returned and certified for any manors, lands, tenements, rents, reuerfions, remainders, or other hereditaments, whereof the cleere peerly value doeth not exceed xx. li. the value of which landes &c. shall be taken as is limited in the offices found thereof (except by the examination and certificat of the said master, Surueour, Attorney and Receiuer generall, or three of them) if shall otherwise appeare and be declared in any of the Quenes courtes. But no such livery shall be sued or passe without a bill or warrant first obtained for the same from the said master, attorney, receiuer, or three of them &c. as is aforesaid. 33. H. 8. 22.

**The fees of a
general livery.**

8 ¶ If the lands, tenements, or hereditaments, whereof a general livery

nery may be sued by this act, exceeds the clere pierey value of v. li. then such as shal sue and haue such general livery, shal pay for the scale thereof xx. s. iij. d. & all other such fees as heretofore in such cases have bene accustomed upon y^e suing of any general liveries. And if the lands, tenements &c. whereof any such generall livery shal bee sued, exceed not the clere value of v. li. then every person suing for any generall livery shal pay for the scale of every such livery xij. d. and to the Clerks of the petit bagge for the writting and enrolling thereof xx. d. and for respite of homage in the Exchequer vij. d. and to the Lord great Chamberlaine xx. d. and to the Clerke of the liveries for the warrant and inrolling of the livery xx. d. and to the Master of the rolles xx. d. and none other fees. 33. H. 8. 22.

9 Every person, to whom the Queene shall graunt any livery, to bee sued upon his bill assigned thereof with the Quenes hande, or with the handes of the Officers of her court of wardes and liveries, shall sue forth his patent within three moneths next after the assignement of the said bill, or els the same bill and the effect thereof shall be void. 33. H. 8. 22.

Attein what
time a Livery
shale be sued
for it.

10 Every ward having his livery, shall within sixe moneths next after the livery had, bring the same to the Auditors of the court of wardes &c. or to one of them, to have the same there inrolled for the discharge of the landes against the Quene, according to the tenour of the said livery, and shal pay for the enrolment thereof such reasonable summe of money, as shall be appointed by the master of the wardes &c. so that it exceede not l. s. 32. H. 8. 46.

Liveries that
be inrolled.

11 If the Escheator or shirife doe seise any landes into the Quenes handes where there is no cause of seisure, and after the same landes bee delivered out of the Quenes handes for the same cause, the issues also shal be fully restored to him who hath the lande, and which hath sustained the losse. Artic super Chart. 28. Ed. 1. 19.

Where the ows-
ners shal have
his lands with
the issues.

12 If by enquestes taken by Escheators by any writtes sued out of the Chauncerie and returned, it be found that nothing is holden of the Q. whereby shee ought to have the warde of such lands by reason of the enquestes taken by her Escheators, immediately the Escheators shall be commaunded by the Quenes writte directed out of the Chauncerie to deliver their handes and put from them all the landes and tenements so seysed into the Quenes possession. And if they have taken any profits of such lands &c. they shall make full restitution to him or them for whom it was found by enquests, that such landes ought to remaine from the time that such landes fell into the Quenes handes. But if after the Escheators have discharged their handes by force of the Quenes writte, any thing happen to bee founde in the Chauncerie, Eschequer, or any other of the Quenes Courtes whereby the wardshippe of such landes whereof the Escheators have discharged their handes, should belong

Amoveas manū
cum exitibus.

Et iij.

unto

Liueries & Retayners.

Refeiser.

unto the Quene, immediatly he in whose hands such lands shall happen to be, shall be summoned to be before the Quen at a certaine day wher-soener &c. to shew if he can say any thing wherfore the Quene ought not to haue the wardship of such lands, according to the fourme of the euidences, or remembraunces found for her. And if he come in and shew why the warde of such landes doeth not, or ought not belong vnto the Quen, but that it ought to remaine to himselfe, he shall goe quite, and retain the wardeshippe: But if the partie warned doo not come, or doeth come and can say nothing, why the Quene should not haue the ward-shippe, immediatly the landes shall be resealed into the Quenes handes by reason of wardshippe, to be kept untill the full age of the heire of the same. And if it bee founde by the enquestes taken by the Eschetors and returned, that the custodie of the same landes, contained in the inquisition and seised in the Quenes handes, ought not to remaine vnto the Quene, the Eschetour shall be commaunded forthwith to discharge his handes thereof, and to restore the whole issues. And in like sort if it bee founde by Euidence and remembraunces in the Chauncerie, Eschequer, or otherwise, that the Quen ought to haue the custodie of them, her Maiestie shall be answered the whole issues thereof at their handes which held the same landes from the time they were first taken into the Quenes handes by the Eschetors by the foresaid writs. 29. Ed. 1. Stat. de Eschaetoribus.

Heane rates.

13 **I**f an Eschetor or other minister hath seised to the Quenes vse, any Cities, Boroughs, Townes, manors, hundreds, franchises, milles, herbage, tolle, ples, and perquisites of courtres, or other landes, or tenements, wherof profit riseth from time to time throught the yere, and after hath made livery thereof to heire by the Quenes commaundement out of the Chauncerie, before the terme of payment is come, yet he shall be charged to answer the Quene for the rate and porcion of the time, according to the auncient course of the Eschequer. But ancient farmes & rentes which be to be payed at certaine terms, as rent seckle, and rent service, wherof no profite riseth untill the day of payment, shall be paid to them which haue lusrrie out of the Quenes handes at the day of payment of the same farmes and rent which doe ensue such luerie. 28. Edw. 3. 4. S. Eschetors, Office, Trauerse, Wardes.

Liueries & Retainers.

Giuing of liueries for maintenance.

If any person shall giue any Chapérons, Hattes, or such like liueries to any man, for maintenance of quarrels or other confederacies, he shall forfeit C.s. for euery such livery. And hee which receiveth such livery shall forfeit l.s. 1. 3. 2. 7. 7. 4. 14. 13. 4. 3. 8. 4. 6. 8. Ed. 4. 2.

Wearing of liueries for maintenance.

2 **I**f any person of his owne authoritie and proper costes, doe buy or weare for his clothing any clothes or hattes, called liueries of the sort or suite of any Lord, Lady, Knight, Esquire, or other person to haue
suppo?

supportation, succour, or maintenance in any quarrell, or in any other manner, and be thereof lawfully convicted, he shall forfeit xl. s. and bee one yeere imprisoned. 8. H. 6. 4. 8. Ed. 4. 2.

3 If any which is a Knight or Esquire meniall of the Queenes, or which is of her retinue, to whom her Maiestie shall give her honorable livery, do weare his said livery in the countrey or county, where hee is resident or dwelling, or in any other place of the Realme out of the Queenes presence, (saving in going or coming from the Queenes house) and is thereof duly attained, he shall lose his livery, and forfeit his fees for ever. 1. H. 4. 7.

Clearing the
Queenes livery.

4 No congregation or companie shall make any company of cloth, or of hattes at their owne costes, upon paine that every one of the same congregation or company shall forfeit xl. s. (except guildes and fraternities, and also people of arts and sciences, within Cities and boroughes, which be ordeined to a good intent) 7. H. 4. 14.

Companies.

5 No person by himselfe or any other for him, shall give any livery or badge, or retaine any person other then his meniall servant, officer, or learned man in the one lawe or in the other, by any writing, oth, or promise, & if any doe the contrary he shall forfeit. for every such livery or badge given. C. s. And hee which both retaine or take of another such oth, writing or promise, or retained by Indenture, shall forfeit. C. s. for every moneth that any person is so retained with him by othe, writing, indenture, or promise. And every person which is retained by writing, indenture, oth, or promise, for every moneth that he is so retained shall forfeit. C. s. to the Q. and J. And every person that wil sue against any other for any offence committed contrary to this statute, or any other of the premises before the Queenes Justices in her bench, before the Justices of the common plects, Justices of peace in their Sessions, Justices of Dier and terminer, and gaole delivery, Justices of the Countie Palantine of Lancaster and Chester, and in the court of Herehamshire, and in the court of the Bishoppe of Durham in the Countie Palantine of Durham, shall be admitted thereunto by the discretion of the said Judges, to give information for the Queene of any of the premises committed within the iurisdiction of the same courtes. And every Informer shall bee admitted to sue for the Queene and himselfe, action or actions upon the same by information in any of the saide Courtes, against as many such offenders in one bill of information as liketh him, which information shall bee in steade of a bill or originall writte, wherein such proces shall be awarded as in an originall writ of trespass against the peace (but that in the Counties Palantine of Lancaster and Chester, nor in Duresme, no Eri-gent shall be awarded upon any information, suit, or proces, to be made by force of this Ordinance, and if any bee, or any Outlawrie thereupon pronounced, the same shall bee void without any writte of Error.

Giving or taking of liveries or badges, and retaining.

In what courts the Informer may prosecute his suite.

And

Liueries & Retayners.

And if any of the offenders be present in any of the said courts, any of the Justices may commaund him to be brought to answer to such bill, upon such Information (by an othe first to be taken upon a booke by such Informer, before some one of the Judges, that his complaint is true) without any other or further proces therein. And everie of the same Judges within his iurisdiction may by his discretion examine every of the defendants upon such information, and iudge him convict aswell by examination as by tryall. And the *Q.* shal haue the one halfe of the forfaiture (if it be not in a citie or towne corporate, that hath the same by the Queenes, &c. graunt) & the Informer the other halfe, which also shall recover his costes by the Judges discretion, and execution thereof, as in recoveries upon debt or trespass, wherein no *C. D. &c. 8. Ed. 4. 2.*

At what time,
and by whom
giuing of Liue-
ries is lawful.

6 ¶ But this act extendeth not to any gift, graunt, or confirmation made of any fee, annuities, pension, rent, lands, or tenements by the *Q.* or any others, to any other person or persons for their counsell given or to be given, or for their lawfull service done or to be done (and for no lawfull cause) although the person to whom such gift, graunt or confirmation is made, be not learned in the one law or the other. Neither doeth it extend to any livery given at the Kinges or Queenes Coronation, or at the installation of an Archbishop or Bishop, or erection, creation, or marriage of any Lord or Lady of estate, or at any creation of any knightes of the Bath, or at the commencement of any Clerke in any University, or at the creation of Sericants of the law, or given by any fraternity, guild, or misterie corporate, or by the Mayor, Sherife, or other chiefe officer of any citie, borough, towne or port of this Realme of England for the time being, during that time for the executing of their office or occupation. Nor to any liveries or badges given in the defence of the Queene, and of this realme. Nor to the Constable or Marshall, for giving any badge, livery, or token, for any seates of armes to be done within this Realme. Nor to any wardens of the Marches towards Scotland for any livery, badge, or token by them given from Trent Northward, at such time onely as shall be necessarie to lenie people for the defence of the Marches. *1. H. 4. 7. 8. Ed. 4. 2.*

The Queenes
officers that
not be retained
with others,
nor that retain
her tenants.

7 ¶ If any Stewarde, Auditor, Receiver, or Bailife that now is, or hereafter shall be, of any of the Queenes honours, Lordships, Manours, Lands, & Tenements, Costable, or keeper of any of her Castels, Ward, Master of game, Park keeper, or any other officer of any of her saide Forrestes, Chases Parkes, or Warrens, that now is, or hereafter shall be unlawfully retained with any person, or retain any man dwelling within any of the said honours, Lordships, Manours, landes and tenements contrary to any act, or ordinance before this time made, shall suffer any man dwelling within the same Honours, Lordships &c. to be unlawfully retained with any other man or person, what degree, or condition
foeuer

sooner he be of, and shew it not to the Queene within xl. daies next after he haue knowledge therof, and how, and with whom he is so retained. **D**z if any of the said Officers comey any of the said tenants, inhabitants, sermons to the Queene, to any field, assembly or rout, other wise then by the Queenes commaundement, to doe her such service as hee shall bee commaunded, and that alway in the Queenes lierie and signe, with a cognisance of him which so conuey them by the Queenes commaundement. **D**z if such Officer come not to the Queene in the time of trouble or war, when he thereunto shalbe commaunded, hauing no reasonable excuse to y contrarie. All graunts then made or had to him, of any of the said Officers by the Queene, or by any of the Queenes progenitozs or predecessozs, shall bee utterly void and of none effect. 3. Hen. 7. 12.

The Queenes officers at her commaundement.

8 **E**lf any sermoz or tenant within any of the same Honours, Lordships, manors, lands, and tenements be retained with any person or persons contrary to the statutes, by livery, signe, token, or oth, indenture of promise, or to goe to any field, gathering or assemblie, in any mans Liuerie, signe or token, but onely in the Queenes Liuerie and signe, and to serue her onely, and where hee shalbe commaunded by the Queene. All graunts and leases to him made for terme of yeres, or at will of lands, tenements, rents or other possessions, being parcell of any the said honours, lordships, manours, lands, and tenements, shall bee then utterly void and of none effect. 3. H. 7. 12.

The Queenes tenant shal not be retained with any other

It appeareth by one Proclamation of the 3. day of Iamuarie, An. 14. El. and by one other of the 19. of Aprill, An. 25. of her raigne, made against Retainers, that her Graces pleasure is, that the foresaid statute of 3. H. 7. amongst other statutes provided against unlawfull Retainers should be duely obserued and executed. But conferre this stat. of 3. H. 7. to the statutes made 11. H. 7. 18. & 19. H. 7. 1. which were provided to auoid the like inconueniences that this was, and penned in such manner as this is. And then, whether this statute was provided to be perpetual, or made onely to continue during the life of king H. 7. as generally we do thinke the other two statutes were, Quare, b. Dyer fol. 211.

1 What issues shall be returned vpon any person in an Information sued vpon the statute made against giuing of Liueries. S. Returne of Sherifes. 11.

Mainprife and Baile.

No person shal be let to baile or mainprife, which is committed to prison for bringing, deliuering, seuing, receiuing, or taking, or procuring to be brought, sent &c. into any ship or bottom, any shep being aliue, to be conueyed out of any of the Queens dominions 8. El. 3. S. Sheepe, 1.

Transporting of sheepe.

2 **C**o or any maker or worker of hats, which is committed to prison for taking aboue two apprentices at one time, or for taking any of those for any lesse time then by. yeres, 8. El. 11. S. Hattes, 6.

Hatter.

Maynprise, & Bayle.

Accomptant.

3 **C** For any servant, bailife, chamberlaine, or receiuor accomptable, which vpon his accompt before Auditors is found in arrearages and committed to the gaole. 13. Ed. 1. 11. S. Accompt. 2.

Servant.

4 **C** For any servant committed to prison for departing from his master with whom hee was retained before the end of his terme, or for departing at the end of his terme without one quarters warning giuen before, or for refusing to serue for the wages rated, according to the statute being thereunto requested, or for not seruing where hee promised or con-
nanted to serue. 5. Cl. 4. S. Labourers. 6.

Artificer.
Labourer.

5 **C** For any Artificer, or Laborer, which is imprisoned for departing from any peece of work which he hath taken in great, in task, or in grosse, to finish: before he hath ended the same, without licence of the master of the worke, or of him that hath charge thereof, except his wages be withhelden, or be appointed to serue the Quene. 5. Cl. 4. S. Laborers. 10.

Sinners or re-
ceiuers of wa-
ges not allow-
ed.

6 **C** For he which is imprisoned for giuing or receiuing more wages then is assessed in a proclamation made for that purpose, in the Countie, Citie, Borough &c. where he dwelleth. 5. Cl. 4. S. Laborers. 4.

Forging of
deedes.

7 **C** For he which is committed to prison for false forging or wittingly assenting, or causing to be forged or made, any false deede, charter, or writing sealed, court roll, or the will of any person in writing, to the intent &c. or any obligation, bill obligatoey, acquittance, release, or other discharge of any debt, accompt, action, suit, demand, or other thing personall, or for y he did pronounce, publish, or giue in euidence any such false or forged charter &c. as true, knowing the same to be false and forged. 5. Cl. 1. 4. S. Forger of deedes. 1. 2.

Arrestments
at an unknown
mans suite.

8 **C** For he which doeth maliciously, or for vexation procure any other person to be arrested or attached to answer in the Kinges Bench, Parthalsey, or in any Court within London (or other place where any liberties is to hold plee in any action personall) at the suit, or in the name of any person, where ther is no such person knowen, or without the assent of such person at whose suite, or in whose name &c. and is thereof conuict, or lawfully accused &c. and committed to prison for vij. moneths &c. 8. Cl. 2. S. Damimages. 1. 2. 3.

Alehouse.

9 **C** For hee which is committed to prison for thre daies, for keeping of an Alehouse beeing not allowed, or beeing forbidden by two Iustices of peace. 5. Ed. 6: 25. S. Alehouses. 2.

Aliens.

10 **C** For he which is committed to prison for that he beeing an Alien borne, and not denizen conueleth into any parts out of the M. obeyfance any long Bowes, Arrowes, or Shafts without y Quens licence, untill he hath made fine to the Queen, by the discretion of the Iustices of peace in their Sessions. 33. H. 8. 9. S. Aliens. 2. Archerie. 6.

Apparel.

11 **C** For he which is committed to prison for wearing any like, con-
trarie to the stat. in that case provided, untill he hath paid the fox. wherof
hee

he is consuted. 1. and 2. 13. and 49. 25. Apparel. 17. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 84

Collectors.
Surveyors
of bridges.

13. If any Collector or Surveyor of any decayed bridge, which is committed to prison for refusing to account to the Justices of peace, of the receipts and payments of money by him received toward the repairs of the said bridge, untill he hath truly accounted; 22. D. 8. 5. S. Bridges. 4.

Father or mother of a bastard.

14 ¶ If 02 the mother 02 reputed father of any Bastard begotten and borne out of lawfull matrimoine, committed to prison for not performing an order made by two Justices of peace for the keeping of such bastard child (except hee 02 shee shall put in sufficient surety for performance of the said order, 02 personally appeare at the next generall Sessions in the shire where such order shall be taken, and to abide such order as the said Justices shall take.) 18. Cl. 3. S. Bastardie. 1.

SouTier.

13. **E** For any Souldier committed to prison for making away any
horse or harneis wherewith he shall be set forth; untill he hath satisfied
the owner thereof. 2. **E** 6. 12. S. Captains.

Diepherieg.

16 ¶ For any person which is committed to prison for any offence by him committed contrary to the stat. provided against fond and phantastically prophecies. 5. Cl. 15. 6. Prophecies 1.

Outlets.

17 C. 20: he which is committed to prison for being committed of a
any offence by him committed contrary to the stat. made for the taking of
Quilters, until hee hath paid the foze. in the said stat. specified. 4. 5. 10.
19. 3. S. Captaines 12. Justice of peace. 16.

Witchcraft.

18 ¶ P^o2 he which is committed to prison for a whole yeare, for being any Witchcraft, Enchantment, Charme, or Sorcerie, or for being counselling, or aiding thereunto, contrary to the statute in that case provided. §. Cⁱ. 16. S. Coniuration. 34.

Transporting
of coine, vic
a. l. e.

19. ¶ For any Maister, or Mariner of any ship, crayer, or vessel which
is committed to prison, for transporting beyond the sea, or into Scotland,
any Corne, Wale, Beere, Butter, Cheese, Herring, or wood, without
a lawfull authoritie, or for concealing by boate &c. any of the foresaid things
on any ship on the Sea, or within any haven to be transported &c. nor any
man which hauing licence to transport the foresaid things doeth trans-
port more then is contained in his licence. 1. 2. 3. 4. 5. S. Corne
2. 3.

Transporting
leather, etc.

20 **C**P of the Master or Partner of any Ship committed to prison for loading °

low, and raw
hides.

lading, shipping, or carrying in any ship or other wise any Leather, Tal-
low, or raw hides, of intent to transport the same beyond the seas, or in-
to Scotland, if the said Master, or Partner do know of the said offence.
18. Cl. 8. S. Leather. 33.

Tythes.

21. C. For he which is committed to prison by two Justices of peace,
for refusing to pay his tythes, or duties, or any summe of money wher-
in he is condemned for the same after the definitive judgement given a-
gainst him by the Ordinarie, untill he be bound with sufficient sureties to
the Queenes use to perfoyme the said sentence. 27. H. 8. 20. 32. H. 8. 7.
S. Tythes. 22.

Excommuni-
cate.

22. C. For he which shall yeild his bodie to the sherife or other officer
upon any writ of Capias awarded according to the statute provided for
the due execution of the writ De Excommunicato capiendo. 5. Cl. 23.
S. Excommunication 1.

Unlawful tak-
ing of Fish,
Deere,
Hawkes.

23. C. For he which is committed to prison for committing any of-
fence prohibited by the stat. provided. 5. Cl. for the punishment of unlaw-
ful taking of Fish, Deere, or Hawkes, untill he hath found sufficient sure-
tie for his good abearing for the space of seven yerres after the offence
committed. 5. Cl. 21. S. Fish 7. Forestes 3. Hawkes 1.

Eating of flesh
on fast daies.

24. C. For he which is committed to prison for eating flesh, or for put-
ting of flesh to sale, upon any day usually observed a fast day. 5. Cl. 5. 27.
Cl. 11. S. Fish daies. 1.

Collector and
Suruey for
Gaules.

25. C. For any Collector or Suruey, appointed for making of gaules
in certaine shires, committed to prison by the Justices of peace, for refu-
sing to make accompt, or to pay such money as shall come to their handes
for that use, untill they have accompted and paid all the said money. 23.
H. 8. 2. 5. Cl. 24. 13. Cl. 25. S. Prison 1.

Newes.

26. C. For any person committed to prison for six moneths or three
moneths, for speaking, or reporting any false, seditious, and slanderous
newes, rumors, sayings, or tales, against our soveraigne Lady & Queens
Maicstie that now is. 23. Elizabeth 2. S. Newes. 3. 4.

Knights for
the Parliament.

27. C. For the Shirife of any Countie committed to prison for one
whole yere, for doing any thing contrary to any statute made in, or before
23. H. 6. concerning the election and returning of knights, citizens and
burgesses, to come to the Parliament. 23. H. 6. 15. S. Parliament 4.

Periurie.

28. C. For he which is committed to prison for six moneths, for com-
mitting wilful periurie, nor he which doth procure any witnes to commit
wilful periurie, and therfore doth forsait xl. li. and hath not landes, goods,
or cattals, to the value of the said xl. li. and is therefore committed to six
moneths imprisonment. 5. Cl. 9. 14. Cl. 11. S. Periurie. 1. 2.

Whistons in
London.

29. C. For he which is committed to prison by the President of the
Colledge of the faculty of Whisicke in London, or by such as the said Pre-
sident and Colledge shall authorize to search and punish offenders for any
offence

Offence or disobedience by him committed, contrary to the Statute in that case provided, untill hee bee discharged of his imprisonment by the said President, and the persons authorized. 1. P. 9. S. Phisitions. 4.

30. C. P. or hee which is committed to prison by any Justice of peace, Maior, Bailiffe, Sherriffe, or other head Officer &c. for keeping any house, alley, or place of unlawfull games, or for haunting, resorting, and playing there untill he be bound to the Queenes vse in such summe as to the foresaid officers shall be thought reasonable, no longer to keepe or vse the said games. 33. H. 8. 9. S. Plaies. 5.

to take and
games.

31. C. P. or any Collector for the releefe of the poore, which shall refuse to make his accompt, or shall neglect the same by the space of fourteene daies after request to him therfore made, shall be therfore committed to prison, and shall there remaine untill hee hath accompted and payed all surplusages which hee hath received. 14. El. 15. See poore people 6.

Collector for
the poore.

32. C. P. or any Collector, or Gouverneur of the poore, or Censor, Wardens, or Collector for any of the houses of correction, committed to prison, for refusing to make accompt of such money as hee hath received to the uses aforesaid, or for neglecting the same accompt within fourteene daies after request to him made, or for not paying within one weeke after his accompt the whole arrearages which hee shall be found in &c. untill he hath made his accompt and payed the same arrearages. 18. El. 3. S. poore people. 16.

Censors and
Collectors of
houses of cor-
rection.

33. C. P. or he which is committed to prison for disturbing or misusing any preacher in the time of his Sermon, beeing lawfully authorized to preach, or for rescuing, or disturbing the arrest of such offender. 1. P. 3. S. Preachers. 12.

Disturbers of
preachers.

34. C. P. or the Chatour, or other Officer of any noble man, or other, committed to prison for taking of any vittails, corn, or other thing, of any of the Queens liege people against their willes, untill they have redelivered the same, or the verie value thereof. 23. H. 6. 14. S. Purueiors. 1.

Chatour.

35. C. P. or any Purueior, Taker, Badger, or other Minister of the Queens, nor any other common Boulter, committed to iij. moneths imprisonment for taking or bargaining for any vittaille, or graine in either of the markets or towne of Cambridge or Oxford, or within five miles thereof, without the licence of either of the Chauncellores, or Vice Chancellors, of the said Universities where &c. in writing obtained under the seale of the office. 2. & 3. P. & P. 15. 13. El. 21. S. Purueiors. 32.

Purueying
within five
miles of Cant-
bridge or Ox-
ford.

36. C. P. or hee that is committed to prison for any redisseisin by him done, shall be bailed or repleued by a common writ &c. W. 2. 13. Ed. 1. 26. S. Redisseisin 3.

Redisseisin.

37. C. P. or any person committed to vij. moneths, or moneths, or perpetuall imprisonment for committing any of the offences prohibited by

Sacraments
and services.

the

the statute provided. 1. Cl. for the uniformity of common praier and service in the Church and the administration of the sacraments. 1. Cl. 2. S. Sacraments. 2.

Vagabonds.

38 Cl. For any vagabond committed to prison by the Justices of peace of the same shire, or by the head officer of any Citty or towne corporate where he shall be apprehended untill the next Sessions of the peace, or generall gaole delivrie of the same Countie, Citty &c. 14. Cl. 5. S. Vagabonds. 2.

Counterfeiting of false weightes.

39 Cl. For he which is committed to prison for falsifying or counterfeiting of any false weightes, untill hee hath made fine according to the discretion of the Justices of peace. 9. H. 5. 8. S. Weightes. 13.

Taking away of maids.

40 Cl. For any person above the age of xiiii. yerres committed to two yerres imprisonment, for conueying, or causing to be conueyed any maid or woman child unmarried within the age of xvi. yerres, out of the poss. and against the will of the father or mother, or such person as shall haue the gouernance of such matre, &c. other then such of whom she shall hold any landes by knights seruice. 4. & 5. H. 8. S. Women. 6. 7.

Bestowing or contracting matrimony with a maid.

41 Cl. For any person above the age of fourteene yerres committed to fine yerres imprisonment, for taking away and bestowing, or for contracting matrimony with any maid or woman child unmarried under the age of xvi. yerres against the will or unknowing of the father, mother, or such as shall haue the gouernance of her, except the contract be made by the consent of her Cardian. 4. & 5. H. 8. S. Women. 8.

Parish of the kings bench.

42 Cl. For any person which hath removed his indictment of felony into the Kings bench, or is there appealed of felony, shall bee let to baile by the Marshal of the kings Bench. 5. Ed. 3. 8.

Condemnation.

43 Cl. For he which is condemned in any of the Queenes courts, and by vertue thereof is committed to prison, there to remaine untill hee hath agreed with the plaintiff, at whose sute he was condemned. 1. R. 2. 12. 23. H. 5. 2. S. Escape. 3.

Gaugour. packer. Searcher.

44 Cl. For any Gaugour, Packer or searcher of fish, which is committed to prison for that he taketh more for gauging, packing, or searching then he ought to doe. 11. H. 7. 23. S. Fish. 12.

Fraudulent deedes.

45 Cl. For he which is committed to prison for being partie to any falsified or fraudulent s. effement, gift, bond, suit, &c. or knowing thereof, shall willingly put in his or defend the same as true and simple, or shall assigne the landes, leases, or goods to him conuicted. 13. Cl. 5. 14. Cl. 11. 27. Cl. 4. 11. S. Fraudulent deedes. 2. 5.

Foretaller, Regrator, Engrouer.

46 Cl. For any Foretaller, Regrator, or engrouer breying conuict or attainted by the law, which for his first offence shall bee imprisoned two moneths for his second, halfe a yeare, and for the third during the Displeasure. 5. Ed. 6. 14. 13. Cl. 25. S. Foretallers. 4.

Notes.

47 Cl. For hee which is committed to prison for one yeare at the least,

for any great and haynons rpot by him and others done. 2. *H. 5. 8. S. Riots. 11.*

48 *C. 30* any persons being above the number of two, and under *Unlawful as-*
semblies.
 xij. committed to prison for one yere for that they assembled together, and
 did intende, practise &c. with force of armes &c. to murder any the *M. sub-*
jects, or to breake downe &c. the pales, hedge, ditches, wall, or other clo-
 sure of any parke or other ground enclosed, or the banke of any fish pond
 or poole, to the intent the same should remaine open, or to doe any other
 unlawfull act prohibited by the stat. made *An. 1. P. 44.* and being requir-
 ed by a Justice of peace or sherife of the same county, or by the maior &c.
 or chiefe officer of the citie or towne corporate, to returne to their habita-
 tions, doe not, but attempt to put in bre any of the said things. 1. *Par. 12.*
1. Cl. 16. S. Riots. 20.

49 *C. 30* any person committed to prison for three moneths, for that *He moved to*
 he being spoken unto, or moved to make any commotion, insurrection, or *make commo-*
 unlawfull assembly for any intent prohibited (by the stat. made 1. *P. a.*
gainst unlawful assemblies) did not within 24. howers after he was spo-
 ken unto or moved (unlesse he haue a good excuse) declare the same to one
 J. of peace, or sherife of the countie, or to the Maior, sherife, bailiffes, or o-
 ther head officers of any citie or towne corporate, wher such motio was,
 unlesse he shalbe discharged by three Justices of peace of the same shire &c.
1. P. 12. 1. Cl. 16. S. Riots. 24.

50 *C. 30* any person committed to prison for that he moved, stirred, *to procurers of*
 or procured any other person to commit or doe any offence prohibited by *commotion.*
 the forsaide stat. 1. *P. 12. 1. Cl. 16. S. Riots. 30.*

51 *C. 30* any person committed to prison, for that he being above the *Refusing to re-*
 age of xviij. yeres, & under lx. able to serue, not sicke, lame, or impotent, & *presse rebelli-*
 being required by a J. of peace, sherife &c. Maior, bayliffe, &c. of county, city *ons.*
 borough or towne, where any riotous assembly, contrary to the said stat.
 &c. shalbe, or by any other by their commaundement, to goe with him or
 them to suppress the persons unlawfully assembled, doth willingly and
 obstinately refuse so to doe. 1. *P. 12. 1. Cl. 16. S. Riots. 25.*

52 *C. 30* any other person committed to prison, for that he (having no *Attendance*
 reasonable excuse) doth not giue his attendance vpon the *upon the M.*
 for suppressio of any comotion, rebellion &c. after declaration of his letters *Lieutenant.*
 patents, and request to him made. 1. *P. 12. 1. Cl. 16. S. Riots. 26.*

53 *C. 30* he which is imprisoned for buying or wearing any clothes *Liveries.*
 or hats, called Liveries, of the sort or suit of any Lord, Knight, Esquier,
 or other person to haue maintenance in any quarrell, or in any other ma-
 ner. 8. *H. 6. 4. S. Liveries. 2.*

54 *C. 30* any Scholemaster committed to prison for one yere, for *Scholemaster.*
 presuming to teach contrarie to the stat. in that case provided, 23. *Cl. 1.*
S. Sacraments, &c. 12.

Mainprile and Bayle,

Stacking of
ware & hony.

55 **C** For he which is committed to thre monethes imprisonment for non sufficiencie of payment of v. li. for counterfaiting or letting of an other mans marke vpon any peece of ware or besell of hony. 23. Cl. 8. S. Hony. 2. Waxe. 6.

Taking of fe-
sants, partridges.

56 **C** For he which is committed to prison for one moneth for not paying within x. daies after his conviction, such penalties as he shall for. for killing of Feasants or Partridges with nets or other engins in the night time. 23. Cl. 10. S. Feasants, &c. 2.

Dying of
cloth.

57 **C** For he which is committed to prison until he hath satisfied the value of that which he hath for. for infringing the act made An. 23. Cl. for the abolishing of deceitfull stuffe used in dying of clothes. 23. Cl. 9. S. Dying. 1. 2.

58 **C** For a prisoner which before was outlawed. For he which hath abused, For any approuer, For he which is taken with the maner, For he which hath broken the M. prison, For a theefe openly defamed, and knownen, For he which is appealed by an approuer so long as the approuer doth live, except he be of good name, For he which is takē for burning of a house feloniously done, or for false money, or for counterfaiting the M. seale, For any excommunicate person, takē at the Bishops request, For he which is taken for a manifest offence, or for treason touching y^e M. 1. 3. Ed. 1. 15. And by the same stat. it doth appeare, that he which was taken for the death of a man, by the R. commandement, or his Justices, or for the forest, was not repleuisable by the common law.

either maine-
prile is allow-
able.

59 **C** But such as be indicted of Larceny by enquestes taken before Sherifes or Baylives by their office, or of light suspicion, or for petite Larceny that amounteth not above the value of xij. s. if they were not guiltie of some Larceny before, or guiltie of receipt of theues or felons, or of commaundement or force, or of ayde in felony done, or guiltie of some other trespassse, for which one ought not to lose life or member. And a man appealed of an approuer after the death of the approuer if he be no common theefe nor defamed, shall be let out by sufficient suretie, wherof the sherife will be answerable, and that with out giuing any part of their goods. 1. 3. Ed. 1. 15.

Bailment by
the sherife of
one nor baile-
able.

60 **C** If the Sherife or any other let one goe at large by suretie which is not repleuisable, if he be Sherife, Constable, or any other baylife of lē, which hath the keeping of prisoners, and is therof attainted, he shall lose his lē and office for ever, and if the undersherife, Constable, or baylife of such as haue lē for keeping of prisoners, do it contrarie to the will of his master, or any other Baylife being not of lē, they shall haue thre yeres imprisonment, and make fine at the Quenes pleasure. 1. 3. Ed. 1. 15.

Bailment by
Justices of one
not baileable.

61 **C** If any Justices of peace doe let to bayle or mainprile any person, which for any offence by him committed is declared not to be repleuisable

repleuible or bailable, or forbidden to be repleuished by the foresaid stat. of 3. Ed. 1. the said Justices so offending shall pay such fines, as the Justices of Gaole deliuerie of the Shire, citie, or towne where the offence shalbe committed (vpon due p^{ro}ofe thereof by examination before them) shall assesse: But the Justices of peace and Coroners within London and Middlesex, and in all other Cities, Borowghes, and Townes corporate, within this Realme and Wales, haue authoritie to let to baile felons and prisoners, as they haue bene heretofore accustomed. 1. & 2. P. & M. 13. And in like sort shall Sherifes or any other be punished by the Justices of gaole deliuerie, according to the forme of the said stat. of 3. Ed. 1. which do let to baile or mainprise any persons forbidden to be repleuished by the said statute, Statutum de Finibus &c. 27. Ed. 3.

62. ¶ Whosoener doth withhold prisoners repleuible after they haue offered sufficient suertie, shal pay a greuous amerciamento to the Quene, and he that doth take any reward for the deliuerance of such shal pay double to the prisoner, and also a greuous amerciamento to the Quene. 1. & 2. P. & M. 13. Withholding of prisoners, repleuible, or taking of reward to deliuer them.

1. 3. Ed. 1. 15.

1. For the bailement of prisoners by Iustices of peace, taking and certifying their examinations, and binding others to giue euidence against them. S. Iustices of peace 102.

2. Who may be let to baile or mainprise by any Sherife, and who not. S. Sherifes. 8.

3. Where he shall be let to mainprise which is endicted of murder at the Queenes suite and acquitted. S. Murder. 3.

4. That euery Sherife in Wales, may put suspect persons vnder common mainprise, and what fee he shall take for the same. S. Wales. 46. 47.

¶ Maintenance, Champertie, Embracery, and buying of Titles.

I f any of the Quenes Counsellors, Officers, or seruantes, or any other person whatsoeuer, doe take or sustaine any quarell, by maintenance, in the countrey or else where, they shall be grievously punished in some ensuing, that is, the said Counsellors and Quenes great officers shall incurre such payne, as shall be assessed by the Quenes Maiestie, by the aduise of the Lordes of the Realme, and other lesse officers and seruants of the Q. in the Exchequer and other Courtess, and of her ordinary household, shall lose their offices and seruices, be imprisoned, and also pay a fine at the Q. pleasure after euery of their degrees, estates, and deserts, and all other persons shalbe imprisoned and pay fines at the Q. pleasure. 1. Ed. 3. 14. 1. R. 2. 4.

Maintenance by the Q. Officers.

2. ¶ If any clerke of the Q. or of any Iustice, doe receiue the presentment of any Church, for the which any plee or debate is in the Q. court, without the Q. speciall licence, he shall lose the Church and his seruice.

Clerkes taking presentment or part in quarels.

¶ D. y.

And

Maintenance, Champertie &c.

And if any Justice or Sheriffe Clarke, take part in any quarrell, or matter depending in the Quenes court, or do worke any fraud whereby common right may be delayed or disturbed, he shall lose his service, and be further punished if the trespass do require. *Wl. 1. 3. Ed. 1. 28.*

Maintenance
in enquiry of
Riotes.

3 **C** If any Riot, Rout, or unlawful assembly be committed, and the Justices of peace or y. of them do thereof make enquire, according to the statute, for that cause provided. *13. H. 4. and the saide riot &c. is not found by the Jurie, by reason of any embracery or maintenance of the said Jurors, then every person duly proved to be a maintainer or embracer of the same, shall for. to the Q. R. H. and be committed to ward, there to remaine by discretion of the Justices. 19. H. 7. 13. S. Riots. 15.*

Maintenance
of suits depen-
ding in any of
the Quenes
courtes.

4 **C** Whosoever doth unlawfully maintaine, or cause, or procure any unlawful maintenance in any action, suite, demand, or complaint in any of the Quenes Courtes of the Chaucery, Starre chamber, White Hall, or els where within any of the Quenes dominions of England, or Wales, or the Marches of the same, where any person or persons have authoritie by vertue of the Q. commission, patent, or writ, to hold ple of landes, or to examine, heare or determine, any title of lands, or any matter of witnesse concerning the title, right, or interest of any lands, tenements, or hereditaments, or doth unlawfully retaine for maintenance of any suite or ple, any person or persons, or embrace any freeholders or jurors, or suborne any witnes by letters, rewardes, promise, or by any other sinister labour or meanes, for to maintaine any matter or cause, or to the disturbance or hinderance of Justice, or to the procurement or occasion of any manner of perjurie, by false verditte or other wise, in any of y courts aforesaid, shall forfeite for everie such offence *1. li. to the Q. and 3. to be rec. by A. J. &c. wherein no Wl. &c. C. P. &c. if the suit be commenced in any of the Quenes Courtes, within one yeres next after any such offence committed, or else not. 32. H. 8. 9.*

Embrace in-
sors, Suborne
witnesses.

Champertie.

5 **C** No officer of the Quenes, nor other person whatsoever, shall take upon him to maintaine any matter depending in suite, to have part of the thing in ple, or other profite, *Wl. 1. 3. Ed. 1. 25.* Neither shall any person upon such consideration, covenant or depart with his right to an other, and if any doe, and thereof be attainted, the taker shall forfeite to the Quene so much of his landes and goods as the value of the thing in such suit taken for maintenance doth amount unto. And whosoever wil, shall be received to sue for the Quene before the same Justices, before whom the suite was depending, and by them the judgement shalbe given, but a man may take y counsel of those which be pleaders of the law, and learned men for his se, and of his friendes, *Wl. 2. 13. C. 1. 49. 28. Ed. 3. 11.* And if any person doe take upon him for maintenance, Champertie, or the like bargain, any manner of suite or ple against another, and is attainted of such assumption, suite or bargain, or of consent thereto,

thereto, he shall be thre yēre imprisoned, and further punished at the D.
pleasure. 33. Ed. 1.

6 ¶ Champertours be they that moue plēs and suites, or cause to be Champertours.
moued, eyther by their owne or others procurement, & sue them at their
owne costes, to haue part of the land or gaires in variance. 33. Ed. 1. An
embraceour is he which commeth to the barre with the partie and spea- Embraceour.
keth in the matter, and is there to surney the Jury.

7 ¶ No person or persons shal bargain, buy, or sell, or by any means Buying of titles.
obtaine, get, or haue any pretended rights or titles, or take, promise, grant
or covenant to haue any right or title, of any person or persons, in or to
any manors, lands, tenements, or other hereditaments, but if such per-
son or persons which shal so bargain, giue, grant, covenant, or promise
the same, their aunccestors, or they by whom he or they claime the same,
haue been in possession of the same, or of the reuersion or remainder ther-
of, or taken the rents, or profits thereof, by the space of one whole yēre
next after the said bargain, covenant, grant, or promise made, vnder paine
that he that shal make any such bargain, sale, promise, covenant or grant
shall forf. the whole value of the landes, tenements or hereditaments so
bargained, solde, promised, covenanted, or granted, contrary to & forme
of this act. And the buyer or taker thereof knowing the same, shall also
forf. the whole value of the said lands &c. so by him bought or taken as is
abovesaid, to the D. & J. to be recovered by D. J. &c. wherein no W. C.
D. J. &c. if the suit be commenced in any of the Quienes courts within one
yēre after the offence committed, or else not. 32. H. 8. 9.

8 ¶ But it is lawfull to any person being in lawfull poss. by taking Purchasing of pretended title.
of the yērely farme, rents, or profits of any manors, landes, tenements,
or hereditaments, to buy, obtaine, get, or haue by any reasonable meanes
the pretended right or title of any other person or persons to be made to, of,
or in such lands &c. whereof he shall so be in lawfull poss. 32. H. 8. 9.

1 For the punishment of Embraceours. S. Iurors.

2 For giuing or receiuing of liueries for maintenance. S. Liueries.

1. 2.

3 Who may vse any actions, or pursue vpon the statutes prouided
against maintenāce, Chāpertie, Embracery &c. S. Actions popular. 6.

4 The punishment of forcible entries by way of maintenance. S.
Force. 5.

¶ Merchants, Merchandizes.

A L Merchants, Strangers & Denizens, & all other that wil buy or sell Merchant
stranger may
buy and sel
within this
realme thout
interruption.
corne, wines, Auer de poies, flesh, fish, and all other liuinge & vitaille,
wools, clothes, & al other things vendible, from whence soener they come,
at what place so euer it be, citie, Borough, Towne, Port of the sea, faire,
market, or elsewhere within the Realme, within franchise or without,
may frely serue them to what person it shall please thē, as well forens as

D. d. 14.

denizens,

Marchantes and Marchandises.

denizens, in grosse at retaile, or by parcels, at their willes, to all people that will buy the same (except to the enemies of the Q. and her Realme) And if any disturbance be done to any merchant stranger or denizen, or to any other for the sale of such thinges in any Citie, Borough, Towne port of the sea, or other place which hath franchise, and the Maiors, and Bailifes, or other which haue the rule of such franchise, being required by the said merchants, or other thereof to provide remedie, & do not, & thereof be attainted, the franchise shall be seized into the Quenes hands, and neuertheless, they which haue done this disturbance shall restore to the said merchant his double damages which he hath thereby sustained. And if such disturbance or interruption be done in such places or townes where no franchise is, and the lord (if he be present) or his bailife, constable or other ruler of the saide townes and places (in the absence of the said lord) being therein required to do right, and do not, & thereof be attainted, they shall yelde to the plaint. his double damages as aforesaid, & the disturbers in the one case, & in the other aswell within the franchise as without, if they be attainted, shall haue one yeres imprisonment, & be ransomed at the Quenes pleasure. No alien or denizen vpon the foresaid paine shall be troubled, but he may freely buy such things aforesaid in the said places, & carry the where it pleaseth him to his own vse, or to the profite of the Q. or the realme, saving y such merchants Aliens shall carry no wine out of the same realme. But no merchant stranger shall alien, sell at retaile, nor buy, nor make merchandize win the realme with an other strange merchant alien, to sell againe, nor no merchant alien shall sell to retaile within the same realme, nor shall put to sale any maner of wares or merchandizes except linings, & vitayles. And also al aliens shall sel wines by whole vessels, and Spicerie by whole vessels and bales, and in no other maner. And no maner of spicerie after it is brought into the realme, shall be caried out of the same by alien or denizen, vpon paine of forfaiture of the same.

One stranger
shal not mar-
chandise with
another.

Wines.

Spices.

No scauage
shal be payd for
merchandise
customed.

9. Ed. 3. 1. 25. Ed. 3. 2. 11. R. 2. 7. 19. R. 2. 1. 2. R. 2. 1. S. Aliens. 1.
2. ¶ If any Maior, Sherife, bailife, or other officer in any citie, borough or towne within this Realme, doe distraine, take, or leuie any custome called Scauage or the wage of any merchant denizen, or of any other the Quenes subiectes denizens, for any merchandizes to the Q. before truly customed that is brought by lande or by water to be vttered in any citie, borough, or towne in this land, or for non payment of the saide Scauage let any merchants, or any other persons denizens to sell and vtter their merchandize by them brought into any citie, borough, or towne, then he which offendeth shall for. for every offence xx. li. to the Quene and the partie greued, or any other that will sue, wherein no Tl. sc. C. D. sc. But the Maior, Sheriffe, and communitie of London, and enery of them shall haue all such summes of money for scauage of enery person denizens as by right they ought. 19. H. 7. 8.

3 **N**o person shall bring, or cause to be brought into this Realme of England, from the partes beyond the seas, any girdles, harnesses for girdles, rapiers, daggers, knives, hiltes, pumels, locks, chapes, dagger blades, handles, scabers, & sheathes for knives, saddels, horse harness, stirrups, bittes, gloves, pointes, or Leather, laces, being readie made in any parts beyonde the Seas to be sold, bartred, or exchanged, within this Realme of England or Wales, vpon paine to forfait all such wares so brought contrarie to the true meaning of this act, in whose hands soeuer they or any of them shalbe found, or the very value thereof, to the Quene and J. or him that will seile the same or sue therefore in any of the M. courts of record by A. B. P. J. or otherwise wherein no M. C. P. &c. Provided alwayes, that from henceforth it shall and may be lawfull, to all and euery the Quenes subiectes, to bring into this Realme, all and all maner of pinnes, made beyond the Seas, any act or statute &c. notwithstanding. 3. Ed. 4. 4. 1. R. 3. 12. 5. Cl. 7. 27. Cl. 11. 31. Cl. 10. to continue to the end of the next Parliament now next ensuing.

Pyntes.

4 **I**f any person do ship or conuey, or cause to be shipped &c. in or to any Shippe, Boate, or vessell, in or vpon the sea, or in or vpon any haven, Creeke, iuer or place within England or Wales, any maner of sheepe skins, wolfsels, shेरelings, morlings, or the skinnies of any stagge, hynd, bucke, doe, goat, sawne, or hidde, or the peltes of any of them, or the lether made of any of them (sauid leather made of sheepskins only except 8. Cl. 14.) to the intent to transport the same beyond the sea, there to be vttered by way of Merchandize or otherwise, he shall forfait all such skinnies, or peltes, bought, laden, shipped, or transported, or the value of them, and also y. s. vi. d. for euery sell, pelt, skin &c. bought, laden, shipped, or transported, to the M. and J. to be rec. by A. J. &c. wherein no C. Protection, Imunition &c. But the Merchants of the Staple, the Merchants of New Castle vpon Tyne, Hartipole, and Barwicke, their seruants, factors, and attornies, may transport all such vnlawfull wares as heretofore they lawfully might haue done. 5. Cl. 22.

Shipping of
seis, Skinnies,
Leather.

5 **N**o man shall lade or cause to be laden from any place on the land, into any Shippe or vessell to be transported into any foraine Regi- on, or lay on land, or take &c. out of any Shippe (being not in leake or wracke) any goods brought from any parts out of the Quenes dominions, by way of Merchandize (fish taken by the Quenes subiectes and salt except) but onely in the daylight, v. from the first of March vntill the last of September, betwixt the Sunne rising and the Sunne setting. And from the last of September vntill the first of March, betwene 8 houres of seven in the morning, & foure in the after none, & in & vpon some such open place, key or wharfe, as y. M. maiestie hath, or shal appoint, or where a Customier, Comptroller, & Sercher (Hull only except) by the space of x. yerres, before y. making of this act (being 23. January Anno Do. 1559. D. d. sig. haue

At what time
& place mer-
chandise shal
be discharged.

Marchants and Marchandises.

haue bene resident, vpon paine of fozt. of all such goods oꝝ Marchandise so laden, oꝝ discharged, contrary to the true meaning of this act, oꝝ the value thereof. 1. Cl. 11. 4. B. 4. 20.

At what time
and place the
master of a ship
shal receiue oꝝ
discharge his
lading.

6 ¶ If any Master, oꝝ other person taking charge of a ship, craier oꝝ vessell, doe receiue into his shippe, oꝝ lay on lande out of his shippe anye goods oꝝ marchandise (except before excepted) to be transported ouer oꝝ brought in from any place out of the Q. dominions in any other place oꝝ at any other houres then is before limitted, he shall forfait for euery offence a hundred pound to the Q. & J. to be rec. &c. wherein no W. &c. C. B. J. &c. 1. Cl. 11.

Shipper shal
giue notice to
the Customer
of his depart-
ing.

7 ¶ So Master Shipper, oꝝ other, taking charge of the voiage, shall receiue into his ship any goods (except before excepted) to be transported out of the Quenes dominions, before he shall signifie to the customer and officers of the port where he ladeth, that he intendeth to lade, & into what place he intendeth to passe. & oꝝ shall after his lading depart out of the Port where he shall lade, before he doe signifie vnto the saide officers of his lading, and what persons shall haue lading with him in his ship. And further do truely answere to such questions as shalbe ministred vnto him by the Customer, oꝝ other officer concerning the marchandise laden, being examined vpon his othe, oꝝ other wise, vpon paine to forfait for euerie default not truely aduertising, no; answering C. li. to the Q. & J. &c. wherein no W. &c. C. B. J. &c. 1. Cl. 11.

The customer
shalbe aduertis-
ed of al mer-
chandise
brought in.

8 ¶ If any person taking charge of a ship wherein any merchandise (except before excepted) shall be brought from any parts out of the Q. dominions, shall discharge into any lighter and lay on lande, oꝝ procure oꝝ willingly suffer to be discharged &c. any goods before hee shall haue declared to the Customer, oꝝ other officer of the Port where he arriveth, the names of euery of the Marchants oꝝ laders, and shall haue truely answered to such questions concerning such marchandise as shall be to him ministred vpon his othe, oꝝ other wise, by such Customer oꝝ Officer, hee shall forfait for euery such default C. li. to the Q. & J. wherein no W. &c. C. B. J. &c. 1. Cl. 11.

Aliens shal
employ their
money in this
Realme.

9 ¶ Euerie Marchant alpen, and euery bitailer, oꝝ other stranger not being Denizen, which shall resort into any place oꝝ Port of this Realme oꝝ Wales, shall duely employ all the money receiued by him in any Port of the same Realme, oꝝ Wales, vpon the marchandises oꝝ other commodities of this Realme (sauing his reasonable costes by the oversight of the chiefe Gouernour of the place where he shall arrive) oꝝ without fraude shall put the same in due payment to the Quenes people within the Realme: the same employment in payment to be duely proued by the stranger before his departing out of the same Port, by writing from the Marchant to whom the saide stranger hath payed his money; witnessing that he hath so done, oꝝ else by such proses as shall seeme reasonable

ble to the Customer or Comptroller of y^e same Port, & Harb^{or}, Basillie, or other chief Govern^{or} of any such citie, borough, or towne, where such port shalbe, vpon paine of for^{fe}. of all his goods, being within the Realme, & one yere of imprisonment. 4. H. 4. 15. 17. Ed. 4. 1. 3. H. 7. 8. And merchaⁿts a- liens shal find surety in y^e Chauncery euery copany of the of their copany, that none shal carry gold or siluer out of this Realme, against the statute therofore p^{ro}vided, vpon paine of for^{fe}. of the same or the value. 2. H. 6. 6.

10. ¶ Euery merchant of Ireland, Jernesey, and Carnesey, that bryn- geth any merchandise into this Realme, shal employ the money receiued for the same (his reasonable expences deducted) vpon the commodities of this Realme, or else without fraud shal put the same money in due pay- ment within this lande (the saide employment or payment to be p^{ro}oued as is aforesaid) vpon paine of for^{fe}. of y^e value of the merchandize so brought into this Realme. 3. H. 7. 8.

Marchants of
Ireland,
Jernesey,
Carnesey.

11. ¶ No person dwelling in the countrey any way within England, out of any of the citie, boroughes, townes corporate, or market townes, shal sell, or cause to be sold by retaile, any wollen cloth, linnen cloth, Ha- berdash wares, Grocerie wares, Mercerie wares, at, or within any the said citie, boroughes, townes corporate, or market townes, or within the suburbs or liberties thereof (except it be in open Fairres) vpon paine to for^{fe}. for euery time so offending vi. s. viij. d. and the whole wares so solde &c. to the D. & J. which will seise and sue for the same by A. J. &c. wherein no W. &c. C. D. &c. 1. & 2. H. 7. & P. 7.

None dwelling
in the countrey
shal sell wares
by retaile in a
market towne.

12. ¶ This act shal not be hurtfull to any persons that bryn any of the said wollen cloth, linnen cloth, Haberdash, Grocerie, or Mercerie wares, to any of the said citie, market townes, &c. to be solde by whole sale, in grosse, and not by retaile, but euery of them may lawfully sell the same by whole sale, ingrosse, and not by retaile, as they might haue done before &c. 1. & 2. H. 7. & P. 7.

Coultreymen
may sell wares
in grosse in
market townes.

13. ¶ This act shal not extende to any persons that dwell in the Coun- trey out of any of the said citie, boroughes, townes corporat, or market townes, but euery of them at any time when he shal be free of any of the guildes, or liberties, of any of the saide citie, or market townes &c. and dwell within any of them, shal or may sell, or cause to be solde any of the wares aforesaid by retaile, Neither shal this act be p^{re}iudiciall to the liberties and p^{ri}uiledges of the vniuersities of Oxford and Cambridge, or eyther of them. 1. & 2. H. 7. & P. 7.

When a coun-
treymen is
come to dwell
in a market
towne he may
sell by retaile.

Oxford.
Cambridge.

14. ¶ It shalbe lawfull to all persons to sell or cause to be solde by re- taile or otherwisse, all linnen or wollen cloth of their owne making, in e- uery citie, borough, or towne corporate, and market towne, as freely as they might haue done before. 1. & 2. H. 7. & P. 7.

Cloth of their
owne making
sold by retaile.

1. In what sort Merchantes and Handicraftes men shall pay their Tithes, S. Tithes. 30.

g Marches.

Attachment.

I f any officer of any of the Courts of the East March, or West March adioyning vnto Scotland, doe attach any person by his bodie, or by his goods out of any of the Counties of Northumberland, Cumberland, and Westmerland, or the Towne of Newcastle vpon Tyne, to answer in any of the said Courts, or by colour or cause of any manner of presentment taken in any of the saide Courts: It is lawfull for the person so attached to make resistance, and not to obey any such attachment. And if any person be endamaged or grieved by such attachment, he may haue his action of trespassse, or false imprisonment, against them which shall make, or cause to be made such attachment, and in the same shall recover treble damages, if in the said action the matter pleaded passe, or be iudged for the plaintife. And also the defendant shall haue two yeres imprisonment, and pay C.s. to the D. 31. H. 6. 3.

¶ Marriners.

Partners departing from his captaine.

I f any Marriner, or Cunner, which taketh any prest or wages to serue the D. her heirs or successors doth not go with, or doth depart from his Captaine within his terme, for the which the captaine hath retained him (except some impediment by the visitation of God suffer him not to goe) which he shall certifie immediatly to his captaine, & repay his prest money, or except he do obtaine licence of his captaine vnder his seale, it is felony, and he shall be punished as a felon. 18. H. 6. 19. 5. Cl. 5. 27. Cl. 11.

Mariner or fisherman that not serue as a souldier.

2 ¶ No Mariner or fisherman haunting the sea as a mariner, or fisherman, shall be compelled against his will to serue as any souldier vpon the land, or sea, other wise then as a mariner, except it shall be vnder any Captaine of some ship or vessel for landing to do some exploit, which mariners haue vsed to do, or vnder any other person hauing authoritie to withstand invasion of enemies, or to subdne any rebellion within the Realme. And also except all such persons, as by tenure, lawfull custome, or covenant be bound to serue. 5. Cl. 5. 27. Cl. 11.

By what meanes fishermen shall be taken to serue as mariners.

3 ¶ No fisherman, vsing or haunting the sea shall be taken by the Quenes commission to serue her highnesse as a mariner on the sea, but the saide commission shall be first brought by the Quenes taker to two Iustices of peace, next adioyning and inhabiting to the said Sea coastes, townes, or other places where the said mariners are so to be taken, so the intent the saide Iustices may chose out, and cause to be returned such sufficient number of able men, as in the said Commission shall be contained to serue her Maiestie. 5. Cl. 5. 27. Cl. 11. to continue till the ende of the next Parliament.

1 For the Mariners forfeiture for transporting Corne, Beere, Butter, Cheese, &c. S. Corne. 1.

2 For the Mariners forfeiture for transporting of Leather. S. Leather. 33.

3 For the punishment of watermen which hide themselves in the time of pressing, S. Boatem. 6.

¶ Marshall, Marshallie.

The stewards and marshalls shall not hold plea of freehold, nor of debt, covenant, nor any contract made betwene any of the Quenes people, but onely of trespass done within the Quenes house, or other trespasses done within the verge, and of such contracts, and covenants, that one of the Quenes house maketh with another within the same house, and not elsewhere, and they shall plead no plea of trespass except the partie were attached by them, before the Quene depart from the verge where the trespass was committed, and they shall plead them speedily from day to day, so that they may be pleaded and determined before the Quene depart out of the limits of the same verge, where the trespass was committed. And if they cannot be determined within the limits of the same verge, the pleas shall cease before the steward, & be determined at the common law. The steward shall not take cognisance of debtes nor of other things, but of such persons onely which be of the Quenes house, nor shall hold any other plea by obligation made by a distresse take by the steward or marshall. And if they attempt any thing contrarie to any part of this statute, is void 28. Ed. 1. 3. Articuli super chartas.

If watchings the Marshall of the Quenes house shall hold plea.

Cognisance of debtes.

2. ¶ If any plea of debt, detinue, or other plea personall be commenced betwixt any persons being not of the Quenes house, though the record do make mention that the plaintiffe & defendant in the same plea be of the Quenes house, yet the defendant shall not be estopped by such record, but may make his averment that he himselfe, or the said plaintiffe were not of the Quenes house at the time of the said plea or suite commenced. 15. H. 6. 1.

The def. shall not be estopped by the plaintiffes declaration.

3 ¶ In all places where the Quene in her own person shall come to rest, abide, or make repose, there within the verge limited to her Graces Court (which shall not passe the space of xij. miles, to be accompted from her lodging. 13. R. 2. 3.) her Steward, Marshall, Coroner, and all other officers may keepe their Courts for Justice, and execute their offices which shall appertain unto them, according to the lawes, customes, and statutes of this Realme, as well within liberties as without, during the time of the Quenes abode, any privilege or grant notwithstanding. 27. H. 8. 25.

During the Qu. abode the mar. shall may keepe his court within franchise. The verge. xij. miles.

4 ¶ In every case where enquests be to be taken before the Steward and Marshall of the Quenes house, such enquests shall be taken by men of the countrey thereabout, and not by any of the Quenes house, except it be of contracts, covenants or trespasses made by such whereof the one part and the other is of the Quenes house, and that in the same house. 5. Ed. 3. 1. 10. C. 3. 3.

Enquestes in the marshalls court.

5 ¶ If any man will complaine of Error made before the Steward and

Error in the Marshalls and

Matrimonie.

court shal bee
reuerfed in the
kings bench.

The Marshall
sces.

Seruitur of
billes.

Ecclesiasticall
persons.

Steward of
the marshallsey.

and Marshall of the Quenes house, hee shall haue a writ to remoue the record and the proces into the kings bench, and there the Error shall bee redressed. 5. E. 3. 2. 10. E. 3. 3.

6 The Marshall of the Marshallsey of the Quenes house may take the fees hereafter following in open court: that is, of euery person which commeth by Capias to the said Court iij. d. and if he bee let to mainprise untill his day ij. d. more. And of euery person being defendant which is impleaded of trespas, and findeth ij. mainpernours to keepe his day untill the ende of the ple ij. d. And of euery person committed to prison by iudgement of the steward, in whatsoever maner the same bee iij. d. And of euery person deliuered of felonie iij. d. And of euery felon let to mainprise by the court iij. d. But if the Marshall, or any of his officers vnder him, do take any other fees then are before declared, the said Marshall, and euery of his officers shall loose their offices, and also shall pay to the p. grieved treble dammages, for the which the said partie shall haue his suite before the steward of the said court, for the time being. A seruitur of Billes which beareth a staffe of the same court shall take for euery mile from the same court, untill the same place where he shall do his seruice i. d. & for xij. miles. xij. d. & to serue a Venire fac. or Distringas out of y same court y double, & if any seruitor of bills do the contrarie, he shall be imprisoned, & make fine to the Queen after y discretio of the steward of y same court, & also be foriudged & banished the same court. All which articles the Steward at his comming into the countrey, hath authorizty to proclaim & put in execution. 2. H. 4. 23. And priests & other ecclesiasticall persons taken in the Marshallsey of the Quenes house, shall pay such fees, as lay people shall reasonably pay and no more. 9. R. 2. 5.

7 The steward of the Marshallsey shall bee for ever from time to time assigned by writing vnder the seale of the Lord Steward of the Quenes house for the time being. 33. H. 8. 12.

1 In what cases the plaintifes shall answere damages in the Marshallsey. S. Damages. 2.

2 Where the Marshall shall not let to baile him, which is in the kinges bench. S. Mainprise. 42.

¶ Matrimonie.

AL persons belawfull to contract mariage, that bee not prohibited by Gods law to marie, and no reseruatiō or prohibition (Gods law except) shal trouble or impeach any mariage, without the leuiticall degrees. And no person of what estate, degree, or condition soener he or she be, shal bee admitted in any of the spirituell courts within the Quenes Realme, or any her landes, and dominions to any proces, plea, or allegation, contrary to this act. 32. H. 8. 38. 1. Cl. 1. In y said stat. of 32. H. 8. it was ordeined that mariage being contract & solemnized in the face of the church, & consummat with bodily knowledge, or fruit of child, or child, betwē the

the parties so married, should be good and indissoluble, notwithstanding any precontract of matrimony not consummate with bodily knowledge, which either of the persons or both should have made with any other before the time of contracting that marriage so solemnized and consummate &c. But that part of the stat. is repealed by 2. Ed. 6. 23.

McIne.

When chiefe Lordes doe distreine in their fee for customes and services due unto them, and there is a Wefne which ought to acquite the tenant, sithence it lyeth not in the mouth of the Tenant after he hath repleued the distress, to denie the demandes of the chiefe Lord which auoweth in the Quenes court that the distresse is lawfully taken bypon his tenant, viz. bypon the Wefne: this remedie following is provided for the Tenant. That assoone as the Tenant in Demefne (having a Wefne betwene him and chiefe Lord) is distreined, immediatly the Tenant shall purchase a writ of Wefne. And if the Wefne having land in the same Countie will make default untill the graund distresse be awarded, the plaintife shall have such day given him in his writ of graund distresse that before the comming thereof, two counties may be holden, and the Sherife shalbe commaunded that he doe distreine the Wefne by the graund distresse as in the writ is contained, and neuerthelesse the Sherife in two full counties shall cause solemnely to be proclaimed that the saide Wefne shall appere at the day contained in the writ, to answers the Tenant, at which day if he doe appere, the suite shall procede betwixt them according to the accustomed manner, and if he doe not appere, then the saide Wefne shall lose the service of his tenant, and from thenceforth the tenant shall not answer him any thing, but (leaving the Wefne) shall answer the chiefe Lord those services and customes which before time the foresaid Wefne had wont to doe. But the chiefe Lord shall have no power to distreine the tenant in demefne so long as the said tenant doe offer him his services due and accustomed. And if the chiefe Lord do require more then the Wefne ought to do unto him, the tenant in this case shall have the same exception against the Lord, which the Wefne should have had. And if the Wefne have nothing in the Quenes power, yet the tenant shal purchase his writ of Wefne to the Sherife of that countie wherein he is distreined, and if the Sherife returne that he hath nothing, whersby he may be summoned, yet a writ of Attachment shall be awarded, and if the Sherife returne that he hath nothing whereby hee may be attached, yet a writ of Graund distress shall be awarded, & proclamation shall be made in forme aforesaide. If the Wefne have no lande in the countie wherein the distresse is taken, but hath land in some other countie, the an original writ shalbe awarded to summon the Wefne, to the Sherife of that countie wherein the distress is taken, and when that Sherife shall returne that hee hath nothing in his county, then a Judiciall writ shall be awarded to summon the

The Wefne
forrejudged of
his mesualltie.

Monasteries &c.

The tenant holding by lesser service then the Mesne doth.

Warrantie of the Mesne.

The tenant may take his remedie giuen by the common law.

For which Mesnes this statute is provided.

Monast. giuen to the K. which had not in lads a boue CC. li. by the year.

the Mesne to the Sherife of that countie wherein it is testified that he hath land and the suit shall proceed in that countie vntill it is come to y^e graund distress and proclamation, as befoze is said of the Mesne having land in the same countie where the distress is taken, and neuertheless suite shall be in the countie wherein he hath nothing, (as befoze is said of the Mesne having nothing) vntill it be come to the graund distress & proclamation, & so after proclamation made in both counties, the Mesne shall be foreiudged of his ser^uice. And whereas it chaunceth sometime that the tenant in demesne is enfeoffed to holde of the Mesne by lesser service then the Mesne ought to doe vnto the chiefe Lord, when after such proclamation the tenant hath atturued vnto the chiefe Lord (omitting the Mesne) the tenant must of necessitie answer the chiefe Lord the seruices and customes, which y^e Mesne befoze ought to haue done vnto him. And after the Mesne doth come into the court, and doth acknowledge that he ought to acquite his tenant, or is adiudged to acquite him, if after such acknowledging or iudgement, there be complaint made that the Mesne hath not acquitted his tenant, then a Iudiciall writt shall be awarded, that the Sherife shall distraine the Mesne to acquite the tenant, and to appeare befoze the Justices at a certaine day, to shew why he did not acquite him befoze. And when he appeareth at the distress the plaintife shall be heard, and if the plaintife can verifie that he hath not acquitted him, he shall yelde him damages, and by awarde of the court, the tenant shall goe quite from his Mesne, and atturue vnto the chiefe Lord, and if he doe not appeare at the first distress, another writt of distress shall be awarded, and proclamation shall be made, and as soone as that is returned, iudgement shall be giuen as is aforesaide. And it is to be noted, that by this statute, the tenants be not excluded, but they may haue their warrantie of the Mesnes and their heires if they be impleaded of their tenements, as they haue had befoze, neither be the tenants excluded, but they may sue their Mesnes according to the custome befoze time used, if they see that the process in ancient time used, may more auaille them then that which is giuen by this statute. And it is to be vnderstanded, that by this statute, there is no remedie provided for all Mesnes, but only in case where there is one only Mesne betwixt the Lord that doth distraine and the tenant, and in case when the Mesne is of full age, and in case when the tenant without the prejudice of any other then of the Mesne, may atturue to y^e chiefe lord, the which is said for women that be tenants in Dower, tenants by the curtesie of England, or otherwise tenants for terme of life, or in fee talle, for whom by this statute no remedie is provided. *W. 2. 13. Ed. 1. 9.*

¶ Monasteries, Colledges, Freechappels, Chauntries.

Ano. 27. H. 8. it is enacted, that the saide King H. 8. shall haue and enjoy to him and his heires for ever, all such Monasteries, Priories and other religious houses of Monkes, Chanons, and Purses, which haue

haue not in landes, tenements, rents, tithes, portions, and other hereditaments, aboue the cleere yeerly value of CC.li. And in like maner shall haue all the scites and circuites of euery such religious houses, and all and singuler the manors, granges, meases, landes, tenements, rents, reuerfions, seruices, tithes, pensions, Churches, chappels, aduowfons, patronages, annuities, rights, conditions, and other hereditaments, belonging to euery such Monasterie, Priorie, or Religious house, in as large maner, as the Abbots, Priors, Abbesses, and other Gouernours of such religious houses &c. now haue or ought to haue the same, in the right of their houses. And also he shall haue to him and to his heires, all such Monasteries, Abbies, and Priories, which at any time within one yeere next after the making of this act, haue bene giuen and graunted to his Maiesty by any Abbot, Prior, Abbess or Prioresse, vnder their couent seale, or that other wise haue bene suppressed, or dissolued, & all the manors, lands &c. and hereditaments to any of the same monasteries &c. belonging, And the king shall haue the actual and reall possession of all the said religious houses, so that he may giue and dispose them at his pleasure, without further inquisition or offices to be found for the same. And the king shall haue to his owne vse all such ornaments, iewels, goods, cattels, and debts which appertained to any of the chiefe gouernours of the said monasteries or religious houses, in the right of their said monasteries or houses, at 1. Marcij. An. D. 1583. or at any time thence, wheresoener they shall come, except only such beastes, graine, & woods and such other like cattell and reuenues, as they haue sold before the saide first day of March, or thence, for the resonable expences of any of the said houses &c.

Monast. suppressed within a yeere before

Monast. goods giuen to the king.

2 And in the same statute it is further enacted, that euery person and bodie politique, which haue or shall haue any letters patentes of the king of any of the scites, circuites, manors, landes &c. or other hereditaments which appertaine to any monasteries, abbies, or priories, heretofore suppressed, or that shall be suppressed by this act, shall haue and enioy the said scites, lands &c. and all other hereditamentes contained in their letters patents, according to the tenour of the same letters patents. And shall also haue all such actions, suites, entries, & remedies to all intents for any thing contayned in euery such letters patents, in like maner as the chiefe gouernours of any religious houses, which had the same, or ought to haue had, if they had not bene suppressed. 27. H. 8.

A confirmation of the kings letters patents made of Abbey lands.

3 Sauing to euery person and persons, and bodies politique, their heires and successors (other then the Abbots, Priors, Abbesses, Prioresses and other chiefe gouernours of the said religious houses specified in this act, & the Couents of the same & their successors, & such as pretende to be founders, patrons, or donors of such religious houses, or of any lands, tenements, or hereditaments belonging to the same, & their heires & successors) al such right, title, interest, possession, leases for yeeres, rents, seruices, annuities,

Other mens titles saved.

The founde-
right of some
thing saved.

annuities, commodities, fees, liberties, and livings, pensions, portions, cozodics, synodes, priories, and all other profits, as they or any of them hath, ought or might have had, in, or to any of the laide Monasteries, or other religious houses, or in or to any manors, landes, or other hereditaments, that appertaine to any of them, as if the same houses had not bin suppressed by this act, but had continued. And saving unto every person and persons being founders, patrons, or donours of any Abbey, Priorie, or other religious houses suppressed by this act, their heires and successors, all such right, title, interest, possession, rents, annuities, fees, offices, leases, commons, and all other profits, which any of them have, or should have had, without fraud or couin by any meanes, otherwile then by reason or occasion of the dissolution of the laide Abbies, Priories, or other religious houses, into, or vpon any of the laide Abbies &c. whereof they bee founders, patrons, or donours, or into or vpon any lands, tenements, or other hereditaments belonging to the same, in like maner, as other persons & bodies politique, be saved by this act, as is before rehearsed. And as if the same Abbies, Priories, or other religious houses had not bin suppressed by this act, but had continued in their essentiall bodies & estates. 27. H. 8.

Fraudulent
conveiances.

4 ¶ All craftie and fraudulent recoveries, feoffements, estates, gifts, graunts, & leases, and every of them, made by any of the chiefe Gouvernoirs of such religious houses, vnder their Couent seales within one yere next before the making of this act, shall be utterly void. 27. H. 8.

Leases, offices,
fees, cozodics,
saved.

5 ¶ Such persons as have leases for terme of life or yeres, whereupon is reserved the olde rent, and seruices accustomed, & such as have any offices, fees, or cozodics, that hath bene accustomed in such religious houses, and have bought any liuerie or living in any such houses, shall have & enjoy the same, as if this act had never bene made. 27. H. 8.

Celles of hou-
ses vnder the
obedience of
others.

6 ¶ But this act shall not be preiudiciall to any Abbots or Priours, or any Abbies or Priories, being certified into the Eschequer, to have in possessions and profits, spirituall and temporall, above the cleare yereley value of CC. li. concerning such Celles of religious houses, belonging to their Monasteries or Priories, in which Celles the Priours, or other chiefe Gouvernoirs thereof, be vnder the obedience of the Abbots and Priours, to whom such Celles belong, and cannot sue nor be sued, and be Priours or Gouvernoirs datine or remouable, and account of the profits of such celles at the pleasure of the Abbots and Priours, &c. 27. H. 8. a Statute not imprinted. S. Husbandrie. 9.

All religious
houses which
before were, or
should be dis-
solved, given
to king H. 8.

7 ¶ Anno 31. H. 8. 13. It is enacted, that the king shall have & enjoy to him his heires and successors for ever, all and singular such late Monasteries, Abbathies, Priories, Puries, Colledges, Hospitals, houses of Friers, and other religious and ecclesiasticall houses and places, which thence. 4. Feb. An. 27. H. 8. have bin dissolved, suppressed, renounced, relinquished, forsaited, giue by, or by any other means come to his highnes.

And

And in like manner shall haue and enioy, all the scites, circuits, precincts, manors, lordshippes, granges, meles, lands, tenements, meadows, pastures, rentes, reuerfions, seruices, woods, tithes, pensions, portions, parsonages appropried, vicarages, churches, chappels, aduocafions, nominations, patronages, annuities, rightes, intereffs, entrics, conditiōs, commons, leetes, courtes, liberties, priuiledges, franchifes, and other whatfoeuer hereditaments, which appertained to the faid late monasteries, and other religious houfes &c. or to any of them, in as ample maner, as the late Abbots, Priors, & other ecclesiasticall Gouernors of fuch monasteries and religious houfes, had, held, or occupied, or of right ought to haue had, holden, or occupied, in the right of their faid monasteries, or religious houfes at the time of the faid dissolution, or by any other meane, comming of the same to the king, fithence the faid fourth day of Februarie. And not onely all the faid late monasteries, Abbathies, and other religious houfes, scites, circuits, manors, lands, and all other the premisses foorthwith presently, but also all other monasteries, and all other religious and ecclesiasticall houfes and places, which hereafter shall be dissolved, suppressed, or by any mean come vnto the king. And also al the scites, circuits, manors, lands, & other hereditaments whatfoeuer belonging to any of them, whenfoeuer, and as fone as they shall be so dissolved, or by any other meane come vnto the king, shall be vested, and adiudged in the very actual and reall seisin and possession of the king, his heires and successors for euer, in the state and condition as they now be, and as though all the faid late monasteries, abbathies, and all other religious and ecclesiasticall houfes & places so dissolved, & suppressed, as also which hereafter shall be dissolved, suppressed, &c. or come vnto the king, scites, circuits, precincts, manors, lordships, granges, landes, tenements, and other the premisses and euerie of them, were in this present act specially and particularly named by expresse wordes.

8 **H**auing to euerie person and persons, and bodie polittique, and the heires and successors of euerie of them (other then the faid late Abbots, and ecclesiasticall Gouernours of the faid late monasteries, and other religious and ecclesiasticall houfes and places, and the successors of euery of them, and such as pretend to be founders, patrons, and donours of fuch monasteries, and other ecclesiasticall houfes and places, or of any manours, meluages, landes, tenements, and other hereditamentes, belonging to the same, their heires and successors, and the heires and successors of euery fuch Patron, Founder, or Donor, and the now Abbots, and other ecclesiasticall Gouernours, of fuch monasteries and Religious houfes and places which hereafter shall be dissolved or come to the king. And such as pretend to bee Founders, Patrons, or Donors of fuch monasteries and ecclesiasticall houfes and places, or of any manors, meluages, landes, tenementes, or other hereditaments to any of them

Deber mens
titia laued.

Monasteries &c.

belonging, their heires and successors,) all such right, title, claime, interest, possessions, rents, charges, annuities, leases, farmes, offices, fees, lincies, and livinges, porcions, pencions, corodies, commons, synodes, piores, and other profits, which they or any of them haue, claime, ought, may, or might haue had, in, or to the premises, or to any part or parcell thereof, in such like maner to all intentes, as if this act had neuer been made (rents seruices, rents seckes, and all other seruices, and suits onely excepted. 31. H. 8. 13.

Leases of lands
not usually let,

Leases in re-
uersion.

Leases not re-
serving the old
rent.

Wood sales.

9 ¶ If any Abbot, Prior, Abbess, Prioresse, or other ecclesiasticall gouernor or gouernesse, of any Monasterie, Abbathie, or other religious or ecclesiasticall house or place which hereafter shal be dissolved, suppressed, or come to the king, within one yeare next befoze the first day of this Parliament beeing 28. Aprilis, An. Do. 1539.) haue made, or hereafter doe make any lease or graunt vnder his couent or common seale, or other wise for terme of yeeres, or life or liues, of the scite, circuit, and precinct of the said monasterie, or ecclesiasticall house or place, or of any part thereof, or of any manors, messuages, landes, or other hereditaments, belonging to his said Monasteries, or ecclesiasticall house or place, which manors, messes, granges, landes, &c. or other hereditamentes, were not befoze the same lease commonly used to bee let to ferme, but reserved in the manurance, tillage, or occupation of the said Gouernour or Gouernesse, for the maintenance of Hospitalitie and good house keeping, or now bee in the manurance, tillage, or occupation of the said Gouernour or Gouernesse, for the maintenance of hospitalitie, &c. And within one yeere next befoze the first day of this Parliament hath made, or hereafter shall make any lease or graunt, for terme of life, or for terme of yeeres, of any Manors, Messuages, Landes, &c. or other Hereditaments, whereof and in the which, any estate or interest, for terme of life, yeere or yeeres, at the time of the making of any such graunt or lease then had his beeing or continuance, or hereafter shall haue his beeing or continuance, and then was not determined or expired, or at the time of any such Lease to bee made, shall not be determined or expired: And within one yeere next befoze the first day of this Parliament hath made or hereafter shall make any Lease or graunt for terme of life, or for terme of yeeres, of any Manors, Messuages, Landes, or other Hereditamentes, vpon the which Leases, or grauntes the vsuall and olde rentes and fermes accustomed to be yeelden and reserved, by the space of xx. yeeres, next befoze the first day of this Parliament, is, or bee not, or hereafter shall not bee thereupon reserved and yeelden. And within one yeere next befoze the first day of this Parliament hath made, or hereafter shall make any bargain or sale of his woods, which woods bee yet growing and standing, then all and euery such lease, graunt, bargain, and sale of woods, shal be utterly void. 31. H. 8. 13.

10 **A**ll feoffements, fines, and recoueries, had, made, knowledged, or suffered, within one yere next before the first day of this Parliament, or hereafter to bee made, knowledged &c. by any Governours or Gouvernelles, of any Monasterie, or other religious or ecclesiasticall house or place, which hereafter shal be dissolved, suppressed &c. or come to the king, without the kinges licence, vnder his great seale, of any manors, meases, landes, tenements, or other hereditaments, which the said Abbots, and other ecclesiasticall governours and gouvernelles, or any of them, or any of their predecessors, had or held, or haue and hold of the gift, graunt and confirmation of the king, or any of his progenitors, or of the which Monasteries, or Ecclesiasticall houses, the king is founder or patron, or which manours, meases, or hereditaments, were or bee of the auncient foundation or possession of the same Monasteries, Abbathies, or Ecclesiasticall houses or places, shall be utterly void. 31. H. 8. 3.

Assurance of lands without the Kings licence.

In the same statute the like purview was made in euery respect, to auoid al leases of lands not vsually let, leases in reuerfion, Leases not reseruing the old rent, sales of woodes, assurances of landes of the kinges gift, or auncient foundation, without the kinges licence, made by any Abbots or governours of any religious houses, which were before the making of the saide statute dissolved within one yere next before the dissolution or comming to the kings hands of the same houses.

11 **B**ut if any Abbot, Prior, Abbess, Prioresse, or other Governour or Gouvernelle abovesaid, within one yeere next before the first day of this Parliament, or if any late Governour or Gouvernelle, &c. which in one yeere next before any such dissolution or comming to the king of the Premises, haue made any demise, lease, or graunt, to any person for terme of yeres, of any manors, meases, landes, or other hereditaments aforesaid, which person at the time of the said demise &c. had y same to terme, for terme of yeres, then not expired: When the said person to whom any such demise &c. hath beene so made, shall haue the same for terme of xxi. yeres, onely from the time of the making of the said demise &c. if so many yeres be by the same demise &c. limited & expressed, or else for so many yeres as in such demise been expressed, so that the old rent bee thereupon reserved, & so that the same lease exceed not xxi. yeres. And if any Abbot, or other late governour or gouvernelle, within one yere next before any such dissolution or comming vnto the king of the premises, haue made any demise, lease, or graunt, to any person or persons for terme of life or liues, of any manors, meases, landes, or other hereditaments aforesaid, which perso or persons, or any of the, at y time of the said demise, lease or grant, had & held the same for terme of life or liues, or for term of yeres then not expired: When the said person or persons, to whom any such lease or graunt hath beene so made, shall haue and hold the same for terme of

Leases made within the yere to the old lessee.

Lease for life to the old lessee.

Monasteries &c.

Scannies by
copie.

their life or lives, so that the old rent bee thereupon reserved. And all and singular leases and grauntes made by copie to any person or persons, of any of the said mesuages, landes, tenementes, &c. or other hereditamentes aforesaid, for terms of life or lives, which by the custome of the countrey hath been used to be demised, letten or graunted by copie of court rolle, shall be good and effectuell in the law, so that the olde rent be reserved by and upon every such lease and leases. This act &c. notwithstanding. 31. H. 8. 13.

Leases allow-
ed & enrolled
in the Court of
augmentations

12 ¶ Provided alwaies, that all leases heretofore made of any the premises, by the authoritie of the Kings court of Augmentations: And all such leases, feoffements, and woodsales made by the said governours or governesses, under the couent or common seale of any of them, within one yeare next before the dissolution or comming to the king of the said Monasteries or ecclesiasticall houses, which said leases, grauntes, feoffements, and woodsales, have been examined, inrolled, decreed, or affirmed in the Kinges court of Augmentations. And the decree of the same put in wryting, sealed with the seale of the said court, shalbe good and effectuell, according to the same decree, any clause in this act &c. notwithstanding. 31. H. 8. 13.

Assurances to
others by the
kings licences

13 ¶ All persons their heirs and assignes, which sithence the said iij. day of Februarie (viz. in An. 27. H. 8.) by licence, pardon, confirmation, release, assent or consent of the king under his great seale, heretofore given or made, or hereafter to be had or made, have obtained or purchased by indenture, fine, feoffement, reconerie, or other wise of the said late Abbots, Priors &c. or other Gouvernour or Gouvernesses, of any such Monasteries, or other ecclesiasticall houses, any Monasteries, Priories, Colleges, hospitals, manors, landes or other hereditaments, shall have and enjoy the same, according to such wrytinges and assurances as been thereof before the first day of this Parliament, or hereafter shall bee had or made. Saving to everie person and persons and bodies polittique, their heirs and successors (other then the said late Abbots, Abbes, and the successors of every of them, and such as pretend to be founders, patrons, or donors, of the said Monasteries, or any of them, or of any manors, mesuages, or other hereditaments, late belonging to any of them, and the heirs and successors of everie such founder, patron, or donor, (all such right, title, interest, possessions, rents, &c. and other profits, which any of them have, ought, or mought have had, in or to any the said monasteries, or other hereditamentes, at any time before any such purchase, indentures, fines, feoffements, reconeries &c. 31. H. 8. 13.

Other mens
right saved.

All colleges,
chantries &c.
in the disposi-
tion of king H. 8.

14 ¶ An. 37. H. 8. 4. It is enacted, that all Colleges, Freechapels, Chantries, Hospitals, Fraermities, Brotherheads, Guildes, and frienderie priestes made to have continuance for ever, and that ought to be contributory to the payment of the first fruits and tenthes: And all the man-

manſion houſes, manors, landes, tenements, & all other hereditaments, whatſoever they be appertaining, or that ſhould appertaine, or were appointed to any ſuch colledge &c. or other the ſaid promotions, or to any of them, or knownen, or taken as parcell or member of any of them, and to the ſaid Colledges &c. or to any of them united, which betweene the fourth of February, An. 27. H. 8. and 16. Decembris. 37. H. 8. by reaſon of any contrivance, expulſion, bargain, ſale, feoffment, fine, recouerie, leaſe, or other conueſtance thereof had, or made, bee diſſolved, relinquished or extincted (other then ſuch of them as now be or were in poſſeſſion of the king, or that been graunted or aſſured by his licence, conſent, letters pattents, or any other perſons, or haue been lawfully recovered by any perſon, by any former right, without fraud or couin, or by the kinges licence) ſhall from henceforth be adiudged, and alſo be in the actuall and reall poſſeſſion of the king, and of his heires and ſucceſſours for ever, in as ample maner, as the ſaid prieſtes, wardens, miniſters, gouvernours, rulers, or other incumbents or any of them, or the Patrons, donors, or founders of any of them, at any time ſithence the ſaide fourth day of February. 27. H. 8. enjoyed or now enjoyeth the ſame, and as though all the ſaid Colledges, chauntries, hoſpitals, frierchappels, fraternities, brotherhoods, guilds, and other the ſaid promotions, and the ſaid manors, landes, tenementes, hereditamentes, and other the premiſſes, and euerie of them, were in this act particularly and certainly named by expreſſe wordes. 37. Hen. 8. 4.

15 ¶ All Colledges, Frierchappels, and Chauntries, having being, or in Eſſe, within five yeares next before the firſt day of this Parliament (being the fourth of November, Anno Dom. 1547. which were not in actuall and reall poſſeſſion of the late king H. 8. nor of the king that now is (by E. 6.) nor excepted in the ſaid former act of 37. H. 8. other then ſuch as by the kinges commiſſions ſhall bee tranſported or chaunged, and all manours, lands, and other hereditaments, belonging to any of them. And alſo all manors, lands, and other hereditamentes by any maner of aſſurance, will, deuile or otherwiſe ſuffered, knowledged, given or appointed to the finding of any prieſt to haue continuance for ever, and wherewith any prieſt was maintained or ſound within 5. yerres next before the firſt day of this Parliament, which were not in the actuall and reall poſſeſſion of the ſaid late king, nor of the king that now is. And alſo all annuall rentes and proſites, at any time within five yerres next before the beginning of this Parliament, imploied toward, or for the maintenance of any ſtipendarie prieſt intended by any acte or writing to haue continuance for ever, ſhall immediatly after the feaſt of Eaſter next coming (being 1. Aprilis, Anno Dom. 1548.) bee adiudged and alſo bee in the very actual and real poſſeſſion and leiſin of the king, his heires and ſucceſſors for ever, without any office or other inquiſition therof to be found,

All Colledges, Chauntries &c. given to king Edward the 6. 4. November. An. Dom. 1547.

finding of a prieſt to continue for ever.

Monasteries &c.

Lands recon-
red for a priest
or Chauntrie.

and in as ample maner as the Priests, wardens, masters, ministers, go-
uernours, rulers, and other incumbents of any of them, at any time with-
in five yeeres, next before the beginning of this Parliament, inioied or
now inioyeth the same, and as though all the said Colledges &c. and the
said landes, tenements, hereditaments, and other the premises, and eue-
ry of them, were in this act particularly rehearsed by expresse names:
But this act shall not extend to any landes appointed for the finding of a
ny chauntrie, or stipendarie Priest, which by any former and good title,
were lawfully recovered from any such priest, before 1. October. 37. H. 8.
which landes were not chargeable to the payment of the perpetual tenth.
1. Ed. 6. 14.

Finding of a
priest for cer-
taine yeeres.

16 ¶ Where any landes, tithes, pensions, portions, rentes, profits,
or other hereditaments, by any assurance, will, devise, or other wise, at a
ny time heretofore made, were giuen or appointed for the maintenance
or finding of one priest or of diuers priestes, for terme of certain yeeres yet
continuing, and that any priest hath been mainteined or found with the
same, or with the profits thereof, within v. yeeres last past: The king from
the said feast of Easter next comming shall haue in every behalfe, during
all such time to come, every such things, tenements, hereditaments, and
profits, as the Priest or Priests ought or should haue had, for, or toward
his or their maintenance, and for no longer time, nor for any other profit
thereof to be taken. And as sone as the time assigned for the mainte-
nance of the priest or priestes, shall be expired: then it shall be lawful to eue-
ry person to whom any manors, lands, & other hereditaments, should haue
belonged (if the said former act and this act had neuer been made) to enter
into, and inioy the same, without any Liuerie, Ouster le maine, Petici-
on, or other suit to be made to the king, in like maner to all intentes, as
though the said former act and this act had neuer been made, & as though
the king had neuer had any Seisin or possession thereof. And the
king shall haue all such goods, cattels, iuels, plate, ornaments, and other
moueables, as were or be the commō goods for every such colledge, chan-
try, free Chappell, or stipendarie priest, belonging to the furniture of ser-
uice, the propertie whereof was not changed before the eight day of De-
cember, An. Dom. 1547. And al such debts as should be paid of the goods
of any of the said colledges, &c. due by any contract, specialtie, or promise,
made before the said 8. day, shall be paid by the Treasurer of the Court of
Augmentations, 1. Ed. 6. 14.

The goods of
Chauntries,
free Chappels,
&c.

The debts of
Chauntries,
free Chappels.

Anniversaries
obites, lampes
lightes.

17 ¶ The king, his heires, and successours, from the said feast of
Easter, shall haue and enioy for ever all landes, tenements, rents, and o-
ther hereditaments, which by any maner of assurance, will, devise, or o-
ther wise, at any time heretofore made, were giuen or appointed to goe, or
to be imploied wholly to the finding or maintenance of any anniuersarie,
or obite, or other like thing, or of any light or lampe in any church or cha-
pell,

poll, to haue continuance for euer, which hath bene kept or mainteined within five yerres next before the first day of this Parliament. But it shal not be lawfull to any person, body politike or corporate, by reason of any remainder, vse, or condition, to enter into, or challenge any landes, tenements, or hereditaments, for the not doing, not naming, or not finding of any priest or priestes, or poore folkes, obyte, anniuersarie, light, or lampe, to be founded or done. 1. Ed. 6. 14.

For recouerie
for default of
obites, lamps,
lightes.

18 ¶ Where but one part of the reuenues of any landes, or other hereditaments, hath by any of the waies abovesaid, been appointed to bee bestowed to the maintenance of any anniuersarie, or obite, or other like thing, or of any light or lampe in any Church or Chappell, and to haue continuance for euer: Then the king shall from the said feast of Easter for euer, haue and enioy euery such summes of money, that in any one yere, within five yerres next before the first day of this Parliament, hath bene bestowed about the maintenance of any such anniuersarie or obite or other like thing, or of any light or lampe, to him his heires and successors for euer, as a rent charge to be paid yerely at the feast of S. Michael the Archangell, and the annunciation of our Lady, by euen portions. And it shal bee lawfull to the king, his heires and successors, for non payment of any such summe of money to distreine in the said landes, and tenements of the issues and reuenues, whereof the said anniuersarie or obite, or other like thing, or any such light or lampe was mainteined. And for lacke of sufficient distresse therein, by the space of one moneth next after that any of the saide rentes should be payde, and be not payde within the saide moneth: Then it shal be lawfull to the king his heires and successors to enter into, and possesse as much of the landes &c. whereof the saide rent should be paid, as the rent that should be payde out of the same shal come to in yerely value, and the same &c. to hold and keepe for euer, or for such estate as the king his heires and successors, had, or ought to haue had in the said rent. 1. Ed. 6. 14.

Part of the issues of lands
giuen to the
finding of obites, &c.

19 ¶ The king, his heires and successors, shall from the saide feast of Easter, haue and enioy, all such summes of money, profit, and commodities, which by vertue of any conueyance, composition, will, devise, or otherwise, heretofore haue bene giuen or appointed to haue continuance for euer, which in any one yere, within five yerres next before the beginning of this Parliament, haue bene bestowed by any Corporation, guildes, fraternities, companies, or fellowships of mysteries, or any of them, or by the Pastors, Wardens, Couernours, or other Officers or by the Pastor &c. of any of them, about the maintenance of any Priest, Anniuersarie, Obyte, lampe or light, or other like thing to be paid yerely, as a rent charge at the feastes of Saint Michaell, and the Annunciation of our Lady by euen portions. And it shal be lawfull to the king, his heires & successors for non payment of any such summe of money, profit,

Money giuen
to the finding
of a priest, obite, light,
lampe, by a
Corporation.

Monasteries &c.

of commoditie, to distraine in all manors, landes, and tenements, of euery such crafts, corporations, &c. of any of them, by whom, or by the wardens, masters, &c. of the which, any such sum of money, profit, or commodity haue been paid or imployed. And euery of the said summes of money, profits, and commodities, shall from the said feast of Easter, without any inquisition or office to be found, be iudged to be in the actuall and reall possession of the king &c. 1. Ed. 6. 14.

Fraternities,
b: otherhoods,
guildes, giuen
to the king.

20 The king shall from the said feast of Easter, haue and enioy to him, his heires, and successors for ever, all fraternities, brotherhoods, and guildes, being within any of his dominions, and all manors, landes, tenements, and other hereditaments, belonging to any of them, other then such corporations, guilds, fraternities, companies, and fellowships of misteries, or craftes, and the manors, landes, tenements, or other hereditaments pertaining to them aboue mencioned. And the same shall be iudged in the actuall and reall possession of the king, his heires and successors, from the said feast of Easter for ever, without any inquisition or office thereof to be found. 1. Ed. 6. 14.

Colledges and
Chauntries
within the uni-
uersities.
Winsoz col-
ledge.
Winchester
Colledge.
Each colledge.
Chappell in the
Sea.

21 This act shall not extend to any Colledge, Hostel, or Hall, being within either of the Universities of Cambridge and Oxforde, nor to any Chauntie founded in any of the Colledges, Hostelles, or Halles, being in the same Universities, nor to the frechappell of saint George, situat in the Castell of Windsor, nor to saint Marie Colledge of Winchester, besides Winchester, of the foundation of Bishop Wickham, nor to the Colledge of Eaton, nor to the Chappell in the Sea in Pewton, within the Isle of Elpe, in the Countie of Cambridge, nor to any manors, landes, tenementes, or hereditaments, to any of them belonging. Nor to any Chappell ordeined for the ease of the people, dwelling distant from the parish church, or such like Chappell, wherunto no more landes or tenementes, then the Church-parde, or a little Houle or Close doth belonge. Nor to any Cathedrall Church or Colledge, where a Bishoppes See is, within England, or in Wales, nor to the landes, tenementes, or other hereditaments, of any of them, other then to such Chauntries, obytes, lightes and lamps, or any of them, as at any time within five yeares, next before the beginning of this Parliament, haue bene had, bled, or maintained, within any of the said Cathedrall Churches or the issues, reuenues, or profits, of any of the said Cathedrall Churches, to which chauntries, obites, lightes, and lampes, this acte shall extende. And the king at any time (during his life) may alter the names of all Chauntries, and the foundations of the same, being in any of the Colledges, Hostelles, or Halles, of any of the said Universities. And also may giue authority to certaine Commissioners, to alter the nature and condition of all Obites, aswell within the Universities of Oxforde and Cambridge, as in any other place within Englande and

Chappel of
ease.

Cathedral
church or
colledge.

Wales,

Wales, being not suppressed ne annihilated by vertue of this act, and the same obites so altered, to dispose to a better vse, as to the reliefe of poore Students, or otherwise. Neither shall this act be prejudiciall to the general corporation of any Citie, Borough, or towne, within any the kinges dominions. He shall extend to any the landes, or hereditaments of any of them. Neither shall this acte prejudice the Lord Cobham &c. concerning the late Colledge of Cobham in Kent, or the lands thereof. Neither shall it extende to the Chauntrie or Colledge of Attleborough in Suffolke, which King Hen. 8. gaue to the Earle of Suffex and his heires. 1. Ed. 6. 14.

Corporations
of Cities, Bo-
roughs &c.

Cobham.
Attleborough.

22 This act shal not extende to any landes, or other hereditaments, which the said Pastors, Wardens, Ministers, Chauntrie Priestes, Incumbents, or other the said Gouvernors, or officers of the premisses, haue in fee simple, fee taile generall or speciall, for terme of life, terme of yeres, or otherwise to their owne proper vses, by inheritance or purchase, and not being at any time annexed to their said Colledges, free chappels, chauntries, or other the premisses. Nor shal extend to any manors, landes, tenements, possessions, rentes, annuities, and yerely pensions, or to any yerely summes of money, being not parcel of any of the said Colledges, or other the premisses heretofore giue by the said late king, or giuen, or hereafter to be giue by the king our soueraigne Lord (viz. Ed. 6.) to any of the said Deans, Pastors, Wardens, Ministers, Chauntrie priestes, Incumbentes, Gouvernors, or rulers, of the premisses, for terme of life onely, vnder his great scale or other scale. 1. Ed. 6. 14.

Lands wherof
the gouernors
were seised to
their owne v-
ses.

recessions, &c.
summes of mo-
ney giuen by
the king.

23 Neither shall this acte extende to any landes, or other hereditaments that any Pastor, Deane, Prebendarie, Warden, or Chauntry, or any stipendiarie Priest of any colledge, or other corporations haue or held of any person, by copping of court rolle, or at will, according to the custome of any manor, nor giue any coppinghold landes to the king, but euerie of the said persons shal enioy the same during their liues, towarde their pension and yerely living, paying their rents and doing their customs and seruises thereof due. 1. Ed. 6. 14.

Copp hold lands

24 Having to all persons, Bodies politique and corporate, their heires and successours (other then the Pastors, Wardens, Ministers, Gouvernors, Rulers, Priestes, Incumbentes, Fellowes, and Bretheren of the said Colledges, Chauntries, free Chappels, and other the premisses, giuen to the king by this acte, and the successours of euery of them, and other then such as be, or pretend to be founders, patrons, or donors of the premisses, or any of them, and the heires, successours, and assignes of euery of them, and other then such as be or were seoffes, recouerees, comises, grauntées, or deuisees, of any of the premisses, to, or for any of the vses, aboue mencioned, or to the vse of any of the said Colledges, free Chappels, chauntries, or other the premisses, giuen by this act to

Other mens
rights saued.

the

Monasteries &c.

the king, or to the intent to imploy the rents or profits thereof, to the vse of the masters, rulers, incumbents, or ministers of any of them, and other then such as pretend to haue estate, right, title, interest, vse, possession, or condition, of, in, or to the premises, or any parcell thereof, by reason of any feffement, fine, bargaine and sale, or by any other meanes, or conueyance to them made of any estate of inheritance, without the said late kinges licence or agreement, and without the licence or agreement of the kinges maiestie that now is, by any of the said deanes, masters, wardens, gouernours, rulers, priests, or incumbents, or by the founders, donors, or patrons of any of them) all such right, title, claime, possession, interestes, rentes, annuities, commodities, commons, offices, fees, leases, liveries, livings, pencions, portions, debtes, duties, and other profits, which they or any of the lawfully haue, or of right ought to haue or might haue had in any of the premises, or in any parcell thereof, in such like maner to al intents, as if this act had neuer been made, and as though the said chauntries, colledges, & other the said promotions, had still remained in their full being. And sauing to euery patron, donour, founder, or gouernour of any such colledge, chauntie, free chappell, stipendarie priests, & other the premises, giuen to the king by this act, and the donor, feoffor, & giuer of the foresaid landes, tenements, hereditaments to them, or any of them, or to any vses, or purposes befoze mencioned, all such rentes, seruises, rents secke, rents charge, fees, annuities, profits, and offices, and also leases for terme of liues and yerres, whereupon the accustomed rent or more is referued, as they or any of them lawfully had and enioyed of any the said promotions, or out of any the said landes, tenements, or hereditaments, befoze the first day of this Parliament. 1. Ed. 6. 14.

All rents reserved.

25. **AS** well euery patron, donor, founder, and giuer of any of the said promotions, or premises, or giuer, donor, or feoffor of any their landes, or other hereditaments, as euery person which befoze the making of this act lawfully had any rent or other perchy profits of any chauntries, colledges, free chappels, or other the premises, or out of any landes, or other possessions of any of them, shall enioy the same in like maner, as they ought to haue done, if the said Colledges &c. and other the premises, had still continued in Esse. 1. Ed. 6. 14.

Leases not reseruing the old rent.

26. **IF** any of the said masters, wardens, ministers, rulers, gouernours, priests, incumbents, or owners of any such Colledge, Chauntie, free chappell, or of any the premises giuen to the king by this act, sithen 23. Nouem. in 37. H. 8. haue made any lease vnder their common seale, or other wise for terme of yerres, life, or liues, of their said Colledges, chauntries, free chappels, or of other the premises, or of any landes or hereditaments to any of them annured or appertaining, vpon the which leases the vsuall and old rents and seruises accustomed to be peyled and referued, or more, by the space of twentie yerres, next befoze the said 23.

day

day of Nouemb. be not reserved & yelden, the same shall be utterly boide. And all other leases and graunts heretofore made, of any the premises given to the King by this act, shall be as good and effectual in the law to all intents as if this act had neuer been made, this act or any other act &c. notwithstanding. 1. Ed. 6. 14.

27 ¶ All such tenths, seruices, issues, profits, and other summes, of money payable out of, or for the premises in the Exchequer shall continue & be verely paid in the same court, in the same maner, as heretofore hath been used, any law custome, vntie of possession in the king, or other thing &c. notwithstanding, and as though the said promotions, landes, and other the premises, had not come to the kings hands. 1. Ed. 6. 14.

28 ¶ All letters patents made by king Hen. 8. or by the king that now is, or hereafter to be made by his highnes to any person, or to any Archbishop or Bishop, of any of the said Colledges, Chauntries, Free chappels, or other the premises, or any parcell of them, or of any landes, tene-ments, or hereditamentes, belonging, or that belong to any of them, and all fines, giffes, grauntes, seoffementes, recoueries, and all other assurances, thereof made, by the consent or licence (vnder the great Seale of England) of the said late King Hen. the eight, or of the King that now is, to any person, body politique or corporate, by any Chauntie Priest, Pastor, Warden, Minister, Ruler, and Gouvernour, or other, hauing any of the said promotions of any of the said Colledges, Chauntries, free Chappels, or other the premises, or of any part of the same, shall stand in their forces, and shall be good and effectual in the law for such estates, and interestes, given or appointed in any of the giffes or comeliences thereof made, according to their purposes, forme, and matter, and according to the true meaning of the same assurances, and shall bee good and auailable as well against the king, his heires and successors, as against the said Chauntie priests, wardens, masters, rulers, gouernours, and other hauing any of the said promotions, and their successors, as also against the founders, donoers, and patrons of the same, and the ordinarie of them, and their heires and successors of euery of them, any law, statute &c. notwithstanding. 1. Ed. 6. 14.

29 ¶ All giffes and grauntes heretofore made, to the said Kinge, Hen. the eight, and to his heires, or to the king that now is, and to his heires, by any Archbishop, Bishop, Dean, Archdeacon, Treasorer, Prebendarie, Pastor, Prouost, gouernour, or other spirituall person, or by any patron, donoer, or founder, of any of the said Deanries, chauntries, or other of the said spirituall promotions, or of all or any of the manors, landes, or other hereditamentes, or commodities, to any of the said benefices, offices, Prebendes, or dignities belonging or annexed, or which any of the said Archbishops, Bishops, Deanes, Archdeacons, Treasurers, Pastors, Prouosts, Prebendaries, Rulers, Gouvernours, or Ministers, Patrons

Other leases
good.

Assurances
made by the
king, or by his
licence.

A confirmatiō
of all grauntes
made to the
king.

Monasteries &c.

Deher mens
rights saued.

Patrons, Founders, or donors, had, haue or ought to haue in their right, or by reason of any of the same offices or dignities, shalbe good and effectual in the law to all intents, sauving to euery person &c. (other then the Archbishops, Bishops, Deanes, Archdeacons, Treasozers, Prebendaries, Rulers, Gouernozs, Wardens, Prouostes, Chiuers, and graunters of any of the premisses, and their heires, successors, and assignes. And other then such Ecclesiasticall persons, bodie politique or corporate, as are, or pretend to be founders, donors, patrons, or ordinaries of the premisses) all such rightes, titles, profites, landes, tenementes, and hereditaments, as any of them haue, or ought to haue had, in, or to any of the premisses next aboue mentioned, as if this act had not bene made. But this act shal not extende to make good any gift, graunt, sale, or alienation, made by any Parson, or Vicar, of their parsonages, or vicarages, or of any parcell thereof, or of any thing to any of them belonging.

Parson, Vicar

A confirmati-
on of letters
patents made
by king H. 8. &
king Ed. 6.

1. Ed. 6. 14.
30 ¶ All graunts, licences, confirmations, and letters Patentes, which king H. 8. or the king that now is, haue made vnder the great seale of England, to any person or persons, or bodie politique or corporate, of any Colledge, Chappell, or Chauntrie now being in Esse or not, or of any landes, tenementes, and hereditaments appertaining to any of them, or of any other thing expessed in this acte: And euery matter and thing contained in any such graunt, licence, confirmation, or letters patents, shal be aduindged good and effectual in the lawe, according to the wordes, sentenpes, meanings, forme and effectes of the same graunts &c. to all intentes, as if this act, and the saide acte made (37. H. 8.) had neuer bene made. And this act, and the saide acte made 37. H. 8. or any article, sentence, or other thing therein contained, shal not extend to any Colledges, Chappels, Chauntries, or other thinges mentioned in this acte, now being in Esse, or not, or to any landes, tenementes, or hereditaments, appertaining to any of them, or to any other thing expessed in this act, which any person, bodie politique or corporate, haue obtained by the assent, licence, confirmation, graunt, or letters patents of the said late king, or of the king that now is: & or shal extende to any landes, tenementes, hereditaments, or other things contained in any such letters patents &c. but euery such person &c. shal haue and enioy the same Colledges &c. landes &c. and euery other thing whatsoeuer so by them obteyned, according to the wordes and intent of the same licences, confirmations, graunts, and letters patents. This act or the said act made 37. H. 8. or any clause or thing contained in any of the same actes &c. notwithstanding. 1. Ed. 6. 14.

This extendeth
not to landes
granted by the
king.

The lands of
S. Johns giue
to the king.

31 ¶ Anno 32. H. 8. 24. It was enacted, that the corporation of the religion of S. Johns of Ierusalem in England & Ireland, should be utterly dissolved & void to all intents: And that the king should haue & enioy all hospitals

Hospitals, and Hospitall, Churches, Castels, Honorz, Manorz, Lands, tenements, rents, reversions, seruices, woods, meadowes, pastures, parks, warrens, liberties, franchises, priuiledges, parsonages, tithes, pencions, portions, knights fees, auowsons, commaundries, preceptories, contributions, responsions, titles, entries, condicions, coneuantes and all other possessions and hereditaments lying within England, Ireland, or other the Kinges dominions, which appertained to the said Religion, or to the Priorz, Pastors, Conseruators, knights, or other Ministers professed, of or in the same, by the pretence, or in the right of the said Religion. And all and singular goods, castels, debts, arerages of rents and farmes, and all other things real and personall whatsoeuer they bee, whereof or wherevnto the said Priorz, Bretheren, or confreeres, or persons professed in the said Religion, can haue, nor claime any particular proprietie to their owne proper vse, by the rules and statutes of the said Religion. To haue and to hold to the said King, his heirs and successors for ever, to vse and employ by his discretion at his owne pleasure. And that the said King should bee deemed in the actual and reall possession of the premises, hauing to all persons & bodies politique their heirs and successors (other then the said Priorz, and the Bretheren and confreeres of euerie of them, and the successors of euery of them, and all and euery other person or persons of the said Religion and their successors) All such right, titles, interest, possession, leases, graunts, annuities, fees, offices, corrodes, reversions, rents, and seruices, rents, charges, commons, rights, tithes, actions, petitions, pencions, portions, and all other hereditaments, which they should or ought to haue had, if this Act had neuer been made.

Other mens
right saued.

32 **C** Aswel the Queene Maiesty her heirs and successors, as also all and euery other person and persons, bodies politique and corporate, their Heires Successours, and Assignes, now hauing, or that hereafter shall haue any of the Scites of the late Monasteries, or other religious or ecclesiasticall houses or places, and the Manorz, Graunges, Mesuages, landes, tenements, tithes, &c. and other possessions and hereditaments of the said late Monasteries, Abbeys, Priories, Punneries, Commaundries, Deanries, Colledges, Prebendes, Hospitals, houses of Fryers, Rectories, Vicarages, Chuntries, Churches, Chappelles, Archbischoppickes, Bischoppickes, and other religious and ecclesiasticall houses, or late belonging or appointed to and for the finding of Priestes, obites, lightes, or other like purpose, or any of the which came to the hands of the late king Hen. the 8. by dissolution gift, graunt, surrender, attainder, or otherwise, or to the hands of king Ed. the 6. by vertue of the foresaid acte made 1. Ed. 6. or otherwise, or to the hands and possessions of other persons &c. by sundry meanes and assurances, shall haue, keepe, and enioy all & euery the said Scites, lands, tenements, & other hereditaments, according to such estates as euery of the
now

A confirmatiō
of all Abbeys,
chantries &c.
landes to the
Queene and o-
ther persons.

Monasteries &c.

now haue, or hereafter shall haue in the same by & due course of the lawes and statutes of this realme, now in force. And every article, clause, sentence, and prouiso, contained in any act or actes of Parliament, concerning the assurance of the said monasteries, Priories, Colledges, Chauntries &c. and other religious and ecclesiasticall houses and places, or in any wise concerning any manors, lands, &c. or other things before specified to the said king H. the vij. or king Edw. the vi. or any other person or persons, or body politique or corporat, and every writing, deede and instrument, concerning the assurance of any of the same, shall remaine in force, and be pleaded, and taken advantage of, to all intents, as the same might or could haue been by the lawes and statutes of this realm. And all feoffmentes, lynes, surrenders, forfeitures, conueasances, and interestes in any wile conueied or made to king Henry the eight, or to king Ed. 6. or either of them, or to any other person, body politique or corporate, by deede, or act of Parliament or other wise, of any the scites, manors, landes, &c. or hereditaments of any of the said Archbishops, Bishops, monasteries, priories &c. or of any manors, lands, &c. or any other hereditaments of, by, or from any ecclesiasticall person or persons, or by or from any spirituall or Ecclesiasticall corporation, or body politique, shalbe good and auailable in the law to all intents, and shall bee pleaded and taken advantage of. And every clause and article of Saving contained in every of the said statutes shall remaine in such force and effect, as they were before the first day of the Parliament holden 1. and 2. P. and M. any thing contained in the act then made, repealing all statutes, articles, and prouisoes made against the See of Rome since the twentieth yere of king Henry the eight, in any wise notwithstanding. And whosoever shall by proces obtained out of any ecclesiasticall court within this realme, or without, or by pretence of any spirituall iurisdiction, or other wise, contrary to the lawes of this realme, molest any person or body politique, for any of the landes, tenementes, Hereditamentes, or other things aboue specified, contrary to the wordes, sentence, and meaning of this Act, shall incurre the danger of the Act of Præmunire, made 16. R. 2. and shall suffer and incurre the forfeitures, and paines contained in the same. 1. and 2. P. & M. 8. 1. Cl. 1.

1 That religious persons professed were inabled to inherite, purchase, sue, and to be sued. S. Abilitie. 3.

2 That those Abbey lands, which were discharged of tithes, shall so remaine. S. Tythes. 42.

3 That all religious houses shall be within the visitation of the ordinary within whose dioces they are situat. S. Ordinarie. 3.

4 For the tenthes reserued vpon Abbey landes & theremedie for recovery of them. S. Tenthes. 3.

5 For tenures reserued vpon Abbey lands. S. Tenures. 4. 5.

¶ Money

¶ Money.

VWhoever doth exchange any coigned Gold, coigned silver, or money giving, paying, or receiving any more in value, benefite, or advantage for it, then the same is or shall bee declared, by the Queenes proclamation to be currant for within this realme, or other her graces dominions, shall forfeit the same golde, silver, and money, to the Queene and I. to be rec. by A. I. &c. wherein no M. C. D. &c. and suffer imprisonment by the space of a yere, and also make fine at the Queenes pleasure. S. Ed. 6. 19. 25. Ed. 3. 12.

Sining or receiving for money more then it is currant.

2 ¶ If any person inhabiting within this Realme, doth pay or willingly deliver by way of exchange, or otherwise, or any marchant or other person borne out of the Obedisance, for any merchandise, wares, or in any other wise any pecies of gold coined in this Realme, or any other Realme, or any plate, vessels, masse, bullion, or Jewell of gold, wrought or unwrought, he shall forfeit the double summe or value of all such money, gold, plate &c. to the R. and I. that will seize or sue for the same, by A. B. &c. after the custome of the citie, port, or towne where it shall happen, or by forfeiture to fall, or by information in the Eschequer, wherein no W. C. &c. 4. H. 7. 23.

Paying of money to a marchant Alien.

Transporting of gold or silver

3 ¶ Whoever doth send or carry out of the Realme of England, any Golde or Silver in money, bullion, plate, or vessel without the Queens licence, saving for his reasonable expences 2. H. 4. 5. shall forfeit the value of the same so carried forth 9. Ed. 3. 1. 5. R. 2. 2. except ransomes for fines of English prisoners taken beyonde the Sea, and the money that souldiers shall carrie with them for their reasonable costes, and money for horses, oren, sheepe, & other thinges bought in Scotland, to be brought and caried to the parties adioyning. So that the money to be sent for the fines of the said prisoners, or to be carried by the souldiers, bee not done without the Queens licence. 2. H. 6. 6. And he which is upon his passage, in any shippe or vessel for to goe out of any port, haven or creeke, shall immediately confesse and declare after warning to him given by the Queens searchour, what gold or silver in coine or masse he hath with him for his expences, or else that money so concealed shall be also forfeit. to the Queene. 2. H. 4. 5.

4 ¶ No person shall carrie nor convey, nor cause to bee carried out of this realme, any bullion, plate or Coine of Gold or Silver into Ireland, above the summe of vi. s. viij. d. nor convey any such Bullion, Plate or coine into any ship, boat, or other vessels, upon paine of forfeiture of the said bullion, plate or coine, and of imprisonment, and fine at the Queenes pleasure. 19. H. 7. 5.

Money carried into Ireland.

5 ¶ No person shall bring or convey, nor cause to be brought any coine of Gold or Silver, above the summe iij. s. iij. d. of the coine of Ireland into this Realme, upon paine to forfeit all the said Coine above iij. s.

Irish money brought into Englande.

to woe

Mortdauncester. Mortmaine.

silver pence, and to haue imprisonment, and make fine at the Quenes pleasure. And it is lawfull to any of the Quenes subiectes, to lesse the Irish money brought into this realme, and to bring it to the Quenes mint, and there he shall haue the value of halfe such money deliuered to him, to his owne vse, by the master of the mint. 19. H. 7. 5.

Refusing small money.

6 **W**hosoeuer in buying and selling, will presume to refuse a halfpenny, or farthing, being of lawfull mettall, and hauing the forme and fashion which it ought to haue, shall be taken as a contemner of the Quenes maiestie, shall bee thrust in prison, and set vpon the pillorie. 12. H. 3.

1 For the Forging, clipping, washing, scaling, or bringing in of any forged money. S. Treason. 1. 2. 3. 4. 5.

Mortdauncester.

If a man doe die and haue diuers heires, wherof one is sonne or daughter, brother or sister, nephew or niece, and the other bee further in degree, all the heires shall haue their recovery by writ of Mortdauncester. Gloucester. 6. Ed. 1. 6.

1 Where dammages shall be recouered in Mortdauncester. S. Damages. 12.

2 Mortdauncester for the heire being wrongfully kept or put out of his inheritance by his chiefe Lord. S. Wardes. 9.

Mortmaine.

Lands purchased in mortmaine.

If any religious person, or other whatsoeuer, will buy or sell any lands or tenements, or will receiue the same by colour of any gift or lease, or by reason of any other title whatsoeuer, or will by other practise, or deuise, procure the same to himselfe, whereby such landes or tenementes may come into mortmaine, he shall forfeit the same landes Mag. char. 9. H. 3. 39. 7. Ed. 1. And if any religious, or other spiritual person doth take the profits of any lands, tenements, fees, aduowsons, or of any maner of possessions, wherof any other is seised by feoffment, or any other way to his vse, to the intent to amortise the same, he shall forfeit the same according to the forme of the foresaid statute. 15. R. 2. 5.

Assurance of lands to uses in mortmaine.

2 **I**t is lawfull for the Queene, or any other chiefe Lord of the fee immediate, to enter into the land so aliened, within a yeare after the alienation, and to hold in fee as his owne inheritance. And if the chiefe lord be negligent, & will not enter into his fee within the yeare, then it is lawfull to the next immediat Lord of the same fee, to enter vpon the same fee within halfe a yeare then next following, and to hold it as aforesaid. And so euery chiefe Lord immediate may enter vpon the same, if the next immediat Lord be slacke in so doing. And if all the chiefe Lords of such fees being full of age, within the foure Seas, and out of prison, bee negligent or slacke in their entrie, by the space of a yeare and a halfe, the Q. Maiesty may take the same lands or tenements into her hands immediatly after the yeares end that such purchases, giffes or appropriations shall be made, &

The chiefe lord enter vpon alienation in mortmaine.

The Q. entrie.

shall

shall enfeoffe some other therein, by certaine services done to her for the defence of the realme, saving to the chiefe lordes of the fees & their wardes, escheates, and other services, thereunto due and accustomed. 7. Ed. 1.

3 ¶ If any religious person, vicar, or other spirituall parson, doe enter into any landes or tenements which be adioyning to his Church, & of the same landes, by sufferance & assent of the tenants, doth make a church-warden and buriall place for his parish, without the licence of the Quene & the chiefe Lord of the fee, it is mortmaine, & he is within the compasse of the forsaide statute. And so is it of all landes, tenements, & other possessions, purchased to the vse of any Guildes or fraternities. 15. R. 2. 5.

Lands impleaded to a church-ward or given to a Guild.

4 ¶ If any Mayor, Bailife, and Commons of any Citie, Borough, or Towne which hath a perpetuall communitie, or other office hath an office perpetuall, do purchase to them and their commons, or to them and their office, or if any other doe purchase to their vse, and they thereof take the profits, it is mortmaine, and they are within the danger of the forsaide statute of 7. Ed. 1. 15. R. 2. 5.

Lands purchased to the use of a Corporation.

5 ¶ If a religious or ecclesiasticall person doe implead any other, and the parte impleaded maketh default whereby he ought to lose the lande, it shalbe enquired by the countrey, whether the demandant had right in the thing he demanded or no, & if it be found that the demandant hath right, iudgement shall passe with him, and he shall recouer leisin. And if he hath no right, the land shall accrue to the next lord of the fee, if he demand it within a yeere after the enquest taken. And if he doth not demand it within a yeere, it shall accrue to the next lord above, if he demand it within halfe a yeere, after the same yeere. And so every lord after the next lord immediate, shall haue halfe a yeere to demand it successively, untill it come to the Quene, to whom through the default of other lords, the land shall accrue. And after iudgement given, the land shall remaine in the Quenes hand, untill it be derayned by the demandant, or some other chiefe Lord. And every chiefe Lord of the fee shalbe admitted to challenge the Jurors of the enquest, and every one that will, may challenge them for the Quene. West. 2. 13. Ed. 1. 31.

Mortmaine upon recovery by default.

Challenge.

6 ¶ All feoffements, fines, recoveries, willes, and other estates and assurances, devised, couenanted, ordeined, or in any wise made of trust, of any manors, lands, tenements or hereditaments to the vse of any parish churches, chappels, churchwardens, guildes, fraternities, or brotherhoods, erected or made of deuotion, or by common assent of the people without any corporation, or to the uses and intents to haue obites perpetuall, or a continuall service of a Priest for ever, or for thre score or foure score yerres found of the profits of the same landes &c. or that the feoffees, confessors, recoveries, or other persons, and their heires thereof leased shall take, leise or perceiue, or cause or suffer to be taken, leised, or perceiued the issues and profits thereof, and the same to dispose or otherwise imploy, or suffer or

Assurance of lands to churches, &c.

Mortmaine.

cause to be paide, disposed or imployed, to any of the foresaid bles, or to any of the like bles: shall be utterly void. 23. H. 8. 10.

Assurance of
lands to churches
etc. for xx.
years.

7 ¶ But it is lawfull to every person, being seised of any manors, landes, tenementes or hereditaments, to his owne proper use, or having feoffees, recoveries, or comises, to his use, to make, ordaine, or devise, or cause to be made &c. any of the bles, intents or purposes above specified, in such maner as they might haue done befoze the making of this act, so that no such bles &c. be made or appointed to endure by any craft, words, or other meanes, above the terme of xx. yeeres next after the first making and beginning of any such bles &c. 23. H. 8. 10.

Collateral assurances in
defrauding of
this statute.

8 ¶ If any person in defraud of this Statute, doth binde or ordeine any of his heires or successors, or any other persons that they shall suffer such bles, intents or purposes, to continue contrarie to this statute, upon paine of losse of any other landes, or of any other thing, or doe devise by any colour, craft, or meanes, any thing to make such bles declared contrarie to the meaning of this act, to continue for any longer time then is above limited for the same: Then every such penaltie, craft, colour, and otherie other thing that is made or devised in defraud of this act, shalbe utterly void: for this Statute shalbe interpreted as beneficially as may be, to the destruction and utter auoiding of the bles above remembred, and of all other like, 23. H. 8. 10.

Customes in
Citties to devise
in Mortmaine.

9 ¶ But this acte is not prejudiciall to the custome of any Cittie or towne corporate, where by their auncient customes they haue authoritie to devise their landes &c. within the same Citties or townes into Mortmaine. Neither shall it be prejudiciall to the devises made by the executors of the wills of R. Jannis, and J. Terrie of the Cittie of Norwich &c. 23. H. 8. 10.

Lands given
for maintenance
of houses
of correction, or
of poor peoples
stockes.

10 ¶ But notwithstanding any of the foresaid statutes, or any other statute, law, or custome, it is lawfull for every person, which is seised of any manors, landes, tenementes, or other hereditaments, in fee simple, in possession, reuerfion, or remainder holden in free socage of the Quene, or any other person or bodie politike in his owne right, and to his owne use, for & during the space of xx. yeeres (to be accounted from the day of Feb. An. Do. 1575.) to make feoffementes, graunts, or any other assurances, or by his last will in writing to give and bequeath in fee simple, all or any part of the said landes, tenementes, or hereditaments, to any body politike or corporate, & their successors now erected, or hereafter to be erected, or to any other person and their heires, to & for the prouision, sustentation, or maintenance of any of the houses of correction, or abiding houses prouided for certayne offenders, or of any stockes or stores for poor people, without any licence of Mortmain therein to be obtained, or any writ of Ad quod dampnum, to be shewed out for the same. But the rents and seruises due to the M. and other chiefe Lords of the fee, going out of the same landes, shall

be

be to them saved and reserved. 18. Cl. 3. 27. Cl. 11. to continue till the end of the next Parliament now next ensuing.

Mortuaries.

NO Mortuarie of Corse present, shall be given or demanded of any person, but only in such place, where heretofore Mortuaries have bene used to be paid and given: Nor any person shall pay Mortuaries in more places then one, that is to say, in the place of his most dwelling, and habitation, and there but one Mortuarie. 21. H. 8. 6.

But one Mortuarie for any person, & that but in accustomed places.

2. **C** No Mortuarie shall be taken or demanded of any person whatsoever he be, which at the time of his death hath in moveable goods under the value of 1. Markes. 21. H. 8. 6.

No mortuarie where y goods be under ten markes.

3. **C** No Parson, Vicar, Curate, or other spirituall person, nor any of their Farmers, Baylives, or Lessees, shall for any person dying or dead & being at the time of his death of the value in moveable goods of 1. markes or more, above his debts paid, and under the summe of 100. li. take for a Mortuarie above 10. s. 10. d. in the whole. And for a person being at the time of his death of the value of 100. li. above his debt paid in moveable goods, and under the value of 10. li. there shall no more be taken for a Mortuarie then 10. s. 10. d. in the whole. And for a person having at the time of his death of the value in moveable goods of 10. li. or above, to any sum, above his debts paid, there shall no more be taken &c. for a Mortuarie then 10. s. in the whole. 21. H. 8. 6.

The dutie for al mortuaries.

4. **C** No Vicar, Parson, Curate, &c. or other, shall take, demand, or take, any Mortuarie or other thing by way of Mortuarie for any woman being covert Baron, nor for any childe, or any person not keeping house, nor also for any wayfaring man, or other that maketh not residence in the place where they shall happen to die. But the Mortuarie of such wayfaring persons shall be answerable (in places where Mortuaries be accustomed to be paid, and in maner, forme and rate before mentioned, and none other wise) in the places where such wayfaring persons, at the time of their death, had their most habitation house, and dwelling places, and no where else. 21. H. 8. 6.

These shall pay no mortuaries.

5. **C** No Mortuaries nor Corse presentes, nor any summe of money or other thing for them, shall be demanded or had in the parties of Wales, nor in the marches of the same, nor in the towne of Berwick, nor marches of the same, but only in such places where Mortuaries have bin accustomed to be paid, neither shall any Mortuaries nor Corse present, nor any thing of them be demanded or had in those places, but onely after the order, and maner above specified, and none other wise, nor of any other person then is above limited. But it is lawfull to the Bishops of Bangor, Landaffe, Saint David, and Saint Asse, and likewise to the Archdeacon of Chester, to take such Mortuaries of the Priests within their Diocese, and Jurisdictions, as heretofore have bin

Mortuaries in Wales, Berwick, and the marches of them.

Murder and Manslaughter.

accustomed. 21. H. 8. 6.

Mortuaries of
lesse value by
custome.

6 **C** No person shalbe compelled in such places (where mortuaries haue bene accustomed to be taken, of lesse value then is aforesaid) to pay any other mortuaries, or moze for any mortuarie then hath bin accustomed, nor any mortuarie shalbe demaied, take or had, in such place, of any person or persons exempt by this act, nor contrary to this act. 21. H. 8. 6.

The for. for
demanding
moze then his
duety.

7 **C** If any Parson, Vicar, Curate or other spirituall person, or their Farmours, Baplistes, or Lessees, do take, receive, or demand of any person within this Realme, for any person dying within the same, any mortuarie or coze present, or any summe of money or any other thing for the same, moze then is befoze mentioned, or do conuent, or call any person or persons befoze any Judge spirituall for the recouerie of any such mortuaries or coze presents, or any other thing for the same moze then is befoze mentioned, he shall forfeite for euerie time so demanding, receiving, taking, conuenting, or calling &c. so much in value, as he shall take aboue the summe befoze limited, and also r. s. to the partie grieved, contrary to this act, to be recovered by A. J. &c. wherein no W. &c. C. P. But it is lawful for any spirituall person to take any summe of money, or other thing which by any person dying shalbe giuen or bequeathed to him, or to the high altar of the Church 21. H. 8. 6.

A legacy giuen
to a spiritual
person.

1 That where mortuaries be demaunded in a spirituall Court, the Queenes prohibition doth not lie. S. Prohibition. 1.

2 That fraudulent deedes to defeate other of their mortuaries be voyde. S. Fraudulent deedes. 1.

Murder and Manslaughter.

Escape of a
murderer.

I f any person be murdered or slaine in the day, and the murderer escape untaken, the towneship where the said deede is done shall be amerced for the said escape. 3. H. 7. 1.

Murderer ar-
raigned at the
M. suite.

2 **C** If any man be slaine or murdered, and the flears, murderers, abbettozs, mainteinors, and comforters of the same be indicted thereto, the same flears and murderers and all other accessaries of the same, shall be arraigned and determined of the same felonie and murder at any time at the M. suite, within the yeere after the same felony and murder done, and not tarry the yeere and day for any appeale to be taken for the same felony or murder. 3. H. 7. 1.

Arraignment
of him, which
is acquit at
the M. suite.

3 **C** If any person so named as principall or accessarie, be acquitted of any such murder at the M. suite within the yeere & day, then the Justice befoze whom he is acquitted, shall not suffer him to goe at large, but either shall remit him againe to prison, or else let him to baille after their discretion, till the yeere and day be passed. And if the same felons, murderers, and accessaries to any of them so arraigned, be acquitted, or the principall of the said felony or any of them be attainted: The wife, or next heire to him so slaine as shall require, may take their appeale of the same death and

and murder, within the yere & day, after the same felonie & murder done, against the said persons so arraigned & acquit, and all other their accessaries, or against the accessaries of the said principall, or any of them so attainted, or against the said principals so attainted if they be then living, & the benefite of the Clergie thereof before not had. And the appellant shall haue such advantages, as if the said acquittall and attainer had not bene, the said acquittall or attainer notwithstanding. 3. H. 7. 1.

4. ¶ The wife or heire of the person so slaine or murdered, as case shall require, may commence their appeale in proper person, at any time within the yere after the felonie done, before the Sheriffe and Coroners of the countie where the said felony and murder was done, or before the Quene in her Bench, or Justices of gaole deliuerie. 3. H. 7. 1.

By whom, within what time, & before whom appeale of murder shall be commenced.

5. ¶ All wilfull killing by poysoning of any person, is wilfull murder of malice prepenced, and the offenders, their aydoers, abettors, procurors, and counsaillors shall suffer death, and forl. as in cases of wilfull murder of malice prepenced. 1. Ed. 6. 12.

Wopsoning.

6. ¶ It shall not be adiudged murder, where an act is done by misfortune, but murder shall be intended of them which be feloniously slaine. Marleb. 32. H. 3. 26.

Misauenture.

1 That appeale of murder may be commenced in one countie, of the death of any person stricken or poysoned in any other countie. S. Tryall. 1.

2 The declaration in appeale of murder, and within what time it shalbe sued, S. Appeale 2.

3 Where murder shalbe tryed by speciall commission, S. Treas. 9.

4 That the killing of the Chancelour, Treasorer, or any Iudge &c. sitting in his place, is high treason. S. Treason. 1.

5 That it is not lawfull to slay any person attainted in Præmunire. S. Præmunire 6.

6 That the appellant in appeale of murder where battel lieth not, may make an attorney. S. Attorney. 5.

7 In what sort Coroners shall enquire of murder, and attach the offenders, S. Coroners. 2. 3. 4.

8 In what case Foresters may slay offenders, S. Forests. 4.

¶ Newes.

¶ Whosoever doth contriue, speake, or tell any false or counterfaste newes, whereof discorde, or matter, or cause or discorde or slander may arise betwene the Quene and her noble men, or people. Or any false newes, lyes, or other such false thinges of Prelates, Dukes, Carles, Barons, and other nobles and Pæres of the Realme, or of the Chancelour, Treasorer, Clarke of the priue seale, Steward of the house, Justices of the one bench, or of the other, or of any great officer of the Realme, whereof discorde or slander may rise within the Realme,

Newes to be a d. discorde betwixt the Q. & her subiects.

Newes of the Pæres or great officers of the Realme.

ff. ij.

shalbe

Newes.

shalbe taken and imprisoned untill he hath brought forth him which doo speake the same. And when he is taken and imprisoned and cannot finde him which spake the words, then he shalbe punished by the aduise of the Counsell. *W. 1. 3. Ed. 1. 34. 2. R. 2. 5. 12. R. 2. 11. 1. and 2. P. 4. P. 3. 1. Cl. 7. S. Iustices of peace 22.*

Newes concerning eating of fish, or forbearing of flesh

2 **¶** Whosoever shall by preaching, teaching, writing, or open speech notifie, that any eating of fish, or forbearing of flesh mentioned in the statute for those cases provided, is of any necessitie for the saving of the soule of man, or that it is the service of God, otherwise then as other politike lawes be, shall be punished as spreaders of false newes are, and ought to be. *5. Cl. 5. 27. Cl. 11. to continue to the end of the next Parliament now next ensuing.*

Slanderous newes against her Maieste.

3 **¶** If any person or persons, after the end of fortie dayes next ensuing the end of this present Session of Parliament, shall aduisedly, and with a malicious intent of his or their owne imagination, speake any false, seditious, and slanderous newes, rumors, sayinges, or tales, against our most naturall Soueraigne Lady the Quenes Maieste (that now is:) When all and euery such person and persons so offending, being thereof lawfully conuicted or attainted, in forme hereafter in this present act expessed, shall for euery such first offence eyther be in some Market place within the shire, Citie, or Borough (where the sayd wordes were or shall be so spoken) set openly vpon the pillorie, by the sherife or his ministers, if it shall fortune to be without any Citie or towne corporate. And if it shall fortune to be within any Citie or towne corporate, then by the principall officer or officers of such Citie or towne corporate, or his or their ministers, and there to haue both his eares cut off, or at the election of the offendor, pay two hundred pounds to the Quenes vse, in her receipt of the Exchequer, within two moneths next after the iudgement giuen of his said offence, and also shall suffer imprisonment by the space of sixe monethes after such his or their conuiction, without baille or mainprise. *23. Cl. 2.*

Newes vpon other mens reports.

4 **¶** All and euerie person and persons, which after the ende of the said fortie daies, shall aduisedly, and with a malicious intent against our said Soueraigne Ladye, report any false, seditious and slanderous newes, rumors, or tales, to the slander and defamacion of our said Soueraigne Lady the Quenes Maieste that now is, of the speaking or reporting of any other: When all and euery such person or persons so reporting, being thereof conuicted, and attainted in forme hereafter in this acte expessed, shall for euery such first offence eyther be in some Market place within the shire, Citie, Borough, or Towne, where the said wordes were, or shall be so reported: set openly vpon the pillorie by the sherife or his ministers, if it shall fortune to be without any citie or towne corporate, and if it shall fortune to be within any citie or towne corporate, then

then by the principall officer and officers of such citie or towne corporate, or his or their ministers, and there to haue one of his eares cut off, or at the election of the offendor pay two hundred Markes to the Quenes vse, in her receipt of the Exchequer, within two moneths next after the iudgment giuen of his saide offence, and also shall suffer imprisonment by the space of three moneths after such his or their conuiction, without baile or mainprise. 23. Cl. 2.

5 ¶ If any person or persons, once lawfully conuicted for any of the offences aforesaid, do after wards esteemes offend in any of the offences aforesaid, then euery such second offence to be deemed and adiudged felony, and the offendor & offendors therein, to suffer such paines of death, & forfeiture, as in case of felony, without any benefit of Clergie, or Sanctuarie to be allowed vnto the offendor in that behalfe. 23. Cl. 2.

The second slander against the Q. after conuiction.

6 ¶ If any person or persons, after the end of the said fortie daies, either within this Realme, or in any other the Quenes dominions, or in any other place, out of the Quenes dominions, shall aduisedly & with a malicious intent against our said soueraigne Lady, deuse, & write, print, or set forth any manner of booke, rime, ballade, letter, or writing, containing any false, seditious & slanderous matter, to the defamation of the Q. (that now is) or to the incouraging, stirring, or mouing of any insurrection or rebellion within this realme, or any the dominions belonging to y^e same. Or if any person or persons after the end of the said xl. daies, either within this Realme, or other the Q. dominions, or in any other place out of the Quenes dominions, shall aduisedly and with a malicious intent against our saide Soueraigne Ladie, procure or cause any such booke, rime, ballade, letter, or writing to be written, printed, published or set forth, and the said offence not being punishable by the stat. made An. 25. Ed. 3. concerning treason, or declaration of treason, or by any other statute, whereby any offence is made or declared treason: Then euery such offence shall be deemed & adiudged felony, and the offendors therein, being therof conuicted & attainted, shall suffer such paines of death and forfeiture, as in case of felony is vsed without any benefite of Clergie or Sanctuarie to be allowed vnto the offendor in that behalfe. 23. Cl. 2.

Slander of the Q. by booke, rime, writing.

7 ¶ If anie person or persons, of what estate, condition, or degree so euer hee or they bee, at any time after the ende of the sayde fortie dayes, and during the life of our saide Soueraigne Ladie the Quene, (that now is) either within her dominions, or without, shall by setting or erecting of anie figure or figures, or by casting of Natiuities, or by calculation, or by anie prophesying, witchcraft, coniurations, or other like vnlawfull meanes whatsoeuer, seeke to knowe, and shall sette forth by expresse wordes, deedes, or writings, how long her Maestie shall liue or continue, or who shall raigne as King or Quene of this Realme of England, after her highnes decease, or else shall aduisedly, and

prophesying &c. of the Q. wishing her death or depriuation.

with a malicious intent against her highnesse, utter any manner of direct prophesies to any such intent or purpose. Whiche shall maliciously by any wordes, writing or printing wish, will, or desire the death or deprivation of our Soueraigne Ladie the Queene (that now is) or any thing directly to the same effect: Then euery such offence shall be felonie, and euery offendour and offendours therein, and also all his or their ayders, procurers, and abettors, in or to the saide offences, shall be iudged as felons, and shall suffer such paynes of death and forfaiture, as in case of Felony is vsed, without any benefite of Clergie or Sanctuarie. And the Iuries of this Realme, and euery of them, that shall hereafter fortune to be indicted of anie the offences aforesaide, shall be tryed by their Iuries, as befoze hath bene accustomed in cases of Treason and felonie. But this Act, or any thing therein contayned, nor any Attainder, or Attainders of any person or persons, for any offence or offences made Felony by this Act, shall not in any wise extend or be adiudged, interpreted or expounded, to make the offendour or offendours to forfeite or lose, any landes, tenements, or hereditaments, any longer then onely during his owne life, or to make any corruption of blood, to any the heire or heires of any such offendour or offendours, or to make the wife of any such offendour to lose or forfeite her dower or title of dower, of, or in any lands, tenements, or hereditaments, or her action or interest to the same: Any thing in this act contained or any Attainder or Attainders hereafter to be had, for any offence or offences made Felony by this act, to the contrary notwithstanding. 23. Cl. 2.

Trial of peers.

No corruption of blood, forfe. of land, or title of dower.

That Justices may heare and determine the foresaid offences.

8 ¶ The Justices of the Kings Bench, Justices of Oyer and terminer, Justices of assises in their seuerall ciuities, and Justices of generall gaole deliuey, as well within liberties as without, within the limits of their seuerall commissions, shall by vertue hereof, haue full power and authoritie, to enquire of, and to heare and determine all and euery the offences aforesaide. And the partie indicted and arraigned of any the offences aforesaid, shall haue aduantage of all maner of challenges to the Jury, as in triall of felony is vsed. 23. Cl. 2.

Trial of offences committed out of the realme

9 ¶ All offences made felony by this Act, which hereafter shall be done or committed, by any person or persons out of this Realme of England, shall be from henceforth enquired of, heard and determined befoze the Quenes Justices of her bench for places to be holden befoze her selfe, by god and lawfull men of the same countie where the same bench shall be kept, in like maner and to all intentes and purposes, as if the same offences had bene done and committed within the same countie, where they shall be so enquired of, heard and determined: any thing to the contrary notwithstanding. 23. Cl. 2.

Within what time the offences shall be accused.

10 ¶ No person or persons shall be molested or impeached for any of the offences concerning speaking or reporting as is aforesaide, vntlesse he

or they be therof accused within one moneth next after such words so spoken or reported, before some one Justice of Peace, and the witnesses therein to be used, named to the same Justice, and the same accusation and witnesses names put in writing by the said Justice, and certified at the next quarter sessions or gaole delivrie, and unlesse such offender also be indicted within one yere next after his or their said offence so supposed to be committed or done. And no person or persons shall be hereafter indicted or arraigned for any offence or offences touching or concerning speaking or reporting as aforesaid, unless the same offence or offences be proved by the testimony, deposition, and othes of two sufficient witnesses also, at the time of his or their Indictment, which said witnesses also, at the time of the arraignment of the partie so indicted, shall be brought forth in person before the partie so arraigned, face to face, and there shall openly declare all they can say against the said partie so indicted, unlesse the said partie so indicted shall willingly and without violence confesse the same. 23. Cl. 2.

Testimony requisite for the conviction of any prisoner.

II Every Mayor or Mayors, Bailiff or other head Officer of Cities, Boroughes, and Townes corporate, which have or hereafter shall have jurisdiction & authoritie, within their severall limits of their office or offices, to hold and keepe Sessions as Justice or Justices of the peace, shall and may by the authority hereof, aswell arrest and commit to ward or baile, in maner and forme aforesaid, all and every person and persons, being behemethly suspected of any the offences aforesaid, as also to enquire of all and every the offences aforesaid, and to procede to the indicting of every such offender, without any further proceeding therein: Any thing in this act &c. notwithstanding. 23. Cl. 2.

Officers in corporate townes may imprison and indict the offenders.

1 That Justices of peace shall enquire of the foresaid offences, and commit offenders to ward. S. Justices of peace 21.

2 What challenge he shall have which is indicted and arraigned vpon the foresaid statute. S. Challenge 12.

Nisi prius.

The chiefe Justice of England for the time being, vpon issues soyned, or to be soyned in the court called the kinges bench, or in the court of Chauncery, the chiefe Justice of the common pleas for the time being, vpon issues soyned or to be soyned in the court of common pleas, & the chiefe Baron of the Exchequer for the time being, vpon issues soyned, or to be soyned in the court of Exchequer, or in the absence or default of any of them, two other Judges or Barons of the same severall courtes, where it shall happen eyther of the same chiefe Justices, or the chiefe Baron, for the time being, to be absent, shall or may at their discretions, within Westminster hall in Westminster, or in the place where the Court of Exchequer is commonly kept, in the countie of Middlesex, as Justices of Nisi prius for the said countie of Middlesex, within the terme time, or within

Trial of issues soyned in the Chauncery, kinges bench, common place & Exchequer, by Nisi prius in Westminster hal.

four

fourte daies next after the end of every oꝝ any terme, severally trie all manner of issues, joyned oꝝ to be joyned in any of the saide severall Courttes, which by the ordinarie course of the lawes of this Realme, ought to be tried in any of the said Courts, by an Enquest of the said Countie of Middlesex, and commissions and writs of Nisi prius shalbe awarded in such cases, and in such forme as they are, oꝝ have bene used in any other shire of this Realme. 18. Cl. 11.

Nisi prius
sued forth.

2 ¶ It shalbe lawfull foꝝ any person oꝝ persons, upon reasonable warning given to the adverse partie, oꝝ his oꝝ their Atturney, as hath bene accustomed in such like cases, to take oꝝ sue forth writs and Records of Nisi prius, foꝝ the triall of the said issues, in the said countie of Middlesex, as they may do upon any issue joyned, triable in any other countie, and thereupon take the Jurie in such maner and forme, and with awarding of tales de circumstantibus, and awarding the nonsuite, as is used foꝝ the tryall of issues joyned, oꝝ nonsuites to be awarded in the said courttes oꝝ any of them, triable within the citie of London oꝝ within any other County of this Realme of England. 18. Cl. 11.

Sherifes at
rendance.

3 ¶ The Sherifes of the saide Countie of Middlesex, foꝝ the time being, shall make returne of all writtes of Nisi prius, which shalbe delivered to them, oꝝ to their, oꝝ any of their sufficient deputy foꝝ the time being, before the said Judges, Baron oꝝ Barons, and every of them, & shall give their attendance upon the said Justices, Baron and Barons, as well foꝝ the returning of such tales as shalbe passed de circumstantibus foꝝ the trying of the said issues, as foꝝ the doing and executing of all other thing and things to the office of the Sherife in such case belonging oꝝ appertaining. 18. Cl. 11.

Jurors,
i. atties,
& Clirneses.

4 ¶ And all persons to be impanelled in such Juries, and the parties to the same issues and suites, and the witnesses foꝝ the same, shalbe charged & bound, in such and the like sort, and upon the like paines & penalties, foꝝ their not appearance and attendance, oꝝ foꝝ their oꝝ any of their misdemeanors oꝝ default, before the said Justices of Nisi prius, as they should have bene, if the same issue had bene tried in the court, from whence the Nisi prius therof was awarded: All which severall trials so to be had, before the said severall Justices, Baron oꝝ Barons, shall stand, and be as good and available in law, as if the same had bene tried in the terme at the barre in the Court where such issue was joyned oꝝ triable: Any law &c. notwithstanding. 18. Cl. 11.

5 ¶ By the statutes of West. 2. 13. Ed. 1. 30. 27. Ed. 1. 4. 12. Ed. 2. 3. 2. Ed. 3. 17. 4. Ed. 3. 11. 14. Ed. 3. 16. & 7. R. 2. 7. & 15. It was provided, that certaine Enquests & Juries should be taken in the countrey before Justices by Nisi prius. And it was also by the same ordained, in what cases Nisi prius is grauntable, before whom & at what dayes and what things Justices of Nisi prius have power to do, and inquire of:

of: But although the same statutes be in force, yet the use, order and course by them appointed, is now in diuers respects altered.

1 That Nisi prius shalbe graunted in Attaint. S. Attaint, 12.

¶ Nontenure,

By exception of Nontenure of parcel, no writ shalbe abated but for the quantitie of the Nontenure which is alledged. 25. Ed. 3. 16.

1 Exception to a fine that the parties to the same had nothing in the land. S. Fines. 8.

¶ Office, Inquisition.

If any Offices or Inquisitions be found before Eschetors, Commis- sioners, or others, containing tenure of the Queene in Capite, entitu- ling her grace to the wardship or custodie of any lands, tenements, or he- reditaments, or entituling her to the same, upon attainders of treason, or felony or other wise, whereas any other person or persons doe holde the same landes &c. for terme of yeeres, or by copie of Court rolle, or doe en- ioy any rent, common, office, &c. or other profite appender, of any estate of freehold, for yeeres or other wise, out of such lands &c. Specified in such offices, though in such offices such titles, interests, or matters shalbe omit- ted and not found, yet euery lessee, tenant for yeeres, or copyholder, & eu- ry such person & persons that haue any interest to any rent, common, or profite appender, for terme of yeeres, life, or otherwise out of the landes &c. contained in such office or inquisition, where the Q. shalbe intituled to the same, shall haue, enjoy and perceiue, all & euery their leases & interests for terme of yeeres, or by copy of court rolle, rents, commons, offices, &c. and profite appender, in such maner & condition, as euery of them should or might haue done, in case there had bin no such office found, and as such lease, interest by copy of Court rolle, common office, &c. or profit appen- der had bene found in such office. 2. Ed. 6. 8.

Other mens interests saved though they be not found by office.

2 **I**f a Jurie that shalbe sworn before any Eschetor, or Commissio- ner, to enquire of lands &c. do not receiue the counterpaine of the office or inquisition that by them shalbe presented, indented & sealed by the Esche- tor or Commissioner, and the same deliuer and suffer to rest in the posses- sion of the first person that shalbe sworn in the said Jurie, to the intent that the Eschetor or Commissioner may not change or imbesile the said office euery of the said Jurie shall for. rr. s. 1. H. 8. 8. 3. H. 8. 2.

The counter- paine of an of- fice shall re- maine with the first man of the Jurie.

2 **I**f the lands and tenements whereof any inquisition is to be had by vertue of any writte or commission, excēde the value of v. li. by the yeere, then such as sue for such writs or commissions, shall pay for the scale and writing thereof such fees as haue bene accustomed. And if the lands and tenements whereof any inquisition and office is to be found by vertue of any writ or commission, excēde not the said yeerely value of v. li. Then such as shall sue for such writ or commissions, shall pay for the scale of e- uery of them, vi. s. and not aboue. 33. H. 8. 22.

The fees of writs or com- missions.

Office, Inquisition.

receiving an
office certified.

4 ¶ If the officer of a Court of Record, where an inquisition of lands not exceeding the yearly value of v. li. shalbe returned, being offered unto him, within one moneth next after the finding thereof, do not receive the same, he shall forf. v. li. to the M. and J. to be rec. by A. J. &c. wherein no W. C. D. &c. 33. H. 8. 22.

An office recei-
ved within
thre dayes.

5 ¶ If the Clerke of the petite Bagge of the Chauncery, or his deputie, or any officer of the Eschequer, having authoritie to receive any offices or inquisitions, to whose hands an office or inquisition shall come, which ought to be returned into the Chauncerie or Eschequer, will not receive the same, and put it on the file as of record within thre dayes after it be received or offered to him, he shall forf. xl. li. 1. H. 8. 8. 3. H. 8. 2.

Transcript of
offices.

6 ¶ The Clerkes of the petit Bagge in the Chauncerie, shall certifye the transcript of all offices found and returned into y^e Chauncery, between Easter and S. Michael into the Eschequer, in the terme of S. Michael. And the transcript of all offices found & returned into the Chauncery, between Michaelmas and Easter they shall certifye yearly in the terme of Easter, and otherwise they shall not certifye, and also they shall certifye the transcript of all offices into the Court of wardes and Liveries, in like maner and forme, as they are bound to doe into the Eschequer. 33. H. 8. 22. which certificates they shall make in forme aforesaid, upon paine to forsaite for every default C. s. to the M. and J. to be rec. by action of debt, wherein no W. C. &c. 1. H. 8. 8. 3. H. 8. 2. 33. H. 8. 22.

Offices in Lan-
caster, Chester,
Duresme.

7 ¶ All Inquisitions and offices found before any Escheator or Commissioners, by vertue of any writs or commission or otherwise, within the counties Palatines of the Duchy of Lancaster, Chester and Duresme, or any of them, shalbe returned by the said Escheators & Commissioners, within one moneth next after the taking thereof, into such places and offices, as heretofore they have bene accustomed to be returned into, upon paine to forf. for every default xl. li. to the M. And the Clerke of the Duchy of Lancaster, the Vicechamberlaine of Chester, and the Chancelloz of the Countie Palatine of Duresme, or other officers within the said Counties Palatines, or their deputies, and every of them, having authoritie to receive any such office or inquisition, to whose hands the same shall come, shall certifye or cause to be certified under his or their handes in parchment, the true transcript of every such office or inquisition, taken before any of the saide Escheators or Commissioners, unto the Master of the Court of Wardes & Liveries, in such like maner, as is appointed to the Clerkes of the petit Bagge in the Chauncery to transport the same, upon paine to forf. for every such default v. li. to y^e Quene, which transcript shall there remaine of record, in like maner as the transcripts of their offices already certified into the said Court by the Clerkes of the petite Bagge are used. 18. El. 12.

1 Where a Melius inquirendum shalbe awarded upon an office yn-
certainly

certainly founde. S. Teasures 6.

2 For the maner of finding of offices and returning them, S. Esche-
tors. 2. 4. 7. 9. 10.

3 Where, and in what cases, any person may be allowed to transe
an office. S. Trauerse. 1. 2. 3.

4 That the landes, goods &c. of any person attainted of Treason
shall be in the Queene without office found of the same. S. Treas. 14.

Of Offices and Officers.

The Chaunceloz of England, Treasoz, Keeper of y^e white scale, Ste-
ward of the Quenes house, the Quenes Chamberlaine, Master of
the Rolles, the Justices of the one Bench & the other, Barons of the Es-
chequer, & all other that shall be called to ordaine, name or make Justices
of peace, Sherifes, Eschetors, Customers, Comptrollers, or any other
officers or ministers of the Quenes, shall be sworne, that they shall not
ordaine, name, or make, any of the foresaid officers, or any other officers
or ministers of the Quenes, for any gift or boorage, favour or affection.
So that any which laboureth by him selfe or by other privately or openly,
to be in any office, shalbe put in the same office or in any other. But they
shall make all such officers & ministers of the best & most lawfull and suf-
ficient men to their estimation and knowledge. 1. 2. R. 2. 2.

None shall ob-
taine offices by
suit or reward.

2 All Officers made by the Quenes letters patents, within her
Courtes which haue authoritie by vertue of their offices of olde time ac-
customed, to make or appoint Clerkes and ministers within the same
courtes, shalbe charged and sworne to appoint and make such clerkes and
ministers, for whom they will answer at their perill, which be sufficient,
faithfull, and readie to attend to that which pertaineth to their charge, as
well touching the Quenes service, as the busines of al the common peo-
ple. 2. 13. 6. 10.

Officers of the
Quenes
Courtes.

3 No Customex, Comptroller, Searcher, Wlaper, finder, And-
neger, gaugeour, collector of customes or Subsidies, shall haue any es-
tate in his office for terme of life, or yeeres, but the saide offices shall re-
maine in the Quenes hands, vnder the Couernance and direction of the
Treasoz of England (with the assent of the Councell if neede be.) And
no letters patents shalbe made of any of the said offices, but by warrant
and bill assigned by the Treasoz, sent into the Chauncery. And if any
letters patents be made by any other warrant or Bill, they be void. 14.
R. 2. 10. 17. R. 2. 5. 1. H. 4. 13. 31. H. 6. 4.

Officers re-
mouable.

4 If any person do bargain or sell any office, or Deputation of a
ny office, or any part of any of them, or receive, haue, or take, any mo-
ney, fee, reward, or any other profite directly or indirectly, or take any
Promisse, Covenant, Bond, Agreement, or any Assurance to haue any
money or other profite for any Office, or for the deputation of any office,
or any part of any of them, or to the intent that any person should haue,

Buying & sel-
ling of offices.

exercise

Offices and Officers.

exercise or enjoy any office, or the deputation of any office, &c. or any part of any of them, which office or any part of them, shall in any wise concerne the administration or execution of Justice, or the receipt, controulment, or payment of any of the Quenes treasure, money, rent, revenue, accompt, aulnage, auditshippe, or turneping of any of the Quenes landes, woods, or hereditaments, or any of the Quenes Customes, or any administration, or necessarie attendance to be done in any of the Quenes Customs houses, or the keeping of any of the Quens Townes, Castles, or Fortresses, beinge bled or appointed for a place of strength and defence, or which shall touch any Clerkeshippe to be occupied in any court of Record, wherein Justice is to be ministered: Then every such person that shall so bargain or sell any of the said offices or deputations, or shall take any money, fee, rewarde, or profite for any of them, or any part of any of them, or that shall take any promise, covenant, bande, or assurance, for any money, reward, or profite to be given for any of them, shall lose all his right, interest, and estate, which he shall then have, of, in, or to any of the saide offices or deputations, or any part of any of them, or of, in, or to the gift or nomination of any of the sayde offices or deputations, for which offices or deputations, or any part of any of them, any such persons shall make any bargain or sale, or take any money, fee, rewarde, or profite, or any promise, covenant, or assurance, to have or receive any fee, reward, money, or profit. And also every such person that shall give any money, fee, or reward, or shall make any promise, agreement, bonde, or assurance, for any of the said offices or deputations, or any part of any of them, shall immediatly, by and upon the same fee, money, or rewarde given or payde, or upon any such promise, covenant, bond, or agreement had or made, for any fee, summe of money, or reward to be payde, be adindged a disable person in the law to all intents, to have, occupy or enjoy the said offices or deputations, or any part of any of the, for the which such person shall so give or pay, or make any covenant, bond, or promise &c. to pay any summe of money, fee, or reward. And all such bargaines, sales, promises, bondes, agreements, covenants, and assurances as be before specified, shall be voide to and against him and them by whom they shalbe had or made. 5. Ed. 6. 16.

Offices where-
into the statute
extendeth not.

5. ¶ But this statute extendeth not to any office, whereof any person is or shall be seised of any estate of inheritance, nor to any office of parherhip, or of the keeping of any house, manor, garden, park, chase or forest: Neither doth it extend, or is prejudiciall to any of the chiefe Justices of the kings bench, or common place, or to any of the Justices of assise, But every of the saide Justices may doe in every behalfe touching any office or offices to be given or granted by any of them, as they might have done before &c. 5. Ed. 6. 16.

As done by
an officer re-
mouable.

6. ¶ If any person doe offende in any thing, contrarie to the tenor of this

this act, yet all iudgements giuen, and all other acts created and done by him by authority, or colour of the office which ought to be forsaith, or not occupied by him after the offence by him committed before he be removed from the administration of the said office or deputation, shalbe good and sufficient in the law to all intents, in like maner, as the same should haue bene if this statute had not bene made. 1. Co. 6. 16.

7. **C**f If any of the officers appointed for the Court of wardes and liueries, do conceale or withdraue willingly any rents, casualties, or other profitcs, comning to the Quene by the minoritye of any of her wardes, or by reason of any thing appointed to be within the order of the Court of wardes and liueries: When they so offending shall lose to the Quene the double value of the thing concealed, or withdrawen. 3. 1. H. 8. 46. And if the Surueior or Clerke of the liueries, do willingly withdraue or conceale any record or profite that should grow to the Q. re. by reason of the same, then hee shall lose to the Q. re. the double value of the thing so concealed or withdrawen, to be leuied and recovered against the offender, upon an information made by the partie grieved, and the same duely proued in the court of wardes and liueries. 3. 3. H. 8. 22.

Officer with-
drawing the
Queens rents

1. Where officers by reason of their offices may exhibit Informations, S. Actions populer. 8.

2. How officers of the Queenes shalbe punished, which by colour of their offices do disseise any man. S. Assise. 4.

3. The forf. of officers of the kings bench, or common place, for false entries in certaine cases. S. Apparance. 1.

4. Where commissions shalbe awarded to enquire of concealement of officers accomptable in the Eschequer. S. Accompt to the Q. 46.

5. That the Queenes officers shall not be vnlawfully retained with any other, nor suffer any of her tenants to be retained. S. Liuries. 7.

Oyle.

The Maior of London with the Masters & Wardens of the mysterie of Tallow Chaundlers of the same citie, haue authoritie to search all maner of Oyles brought into the said citie to be solde, in whose handes so euer they shalbe found, as often as the case shall require, And they shall ouersee that the same Oyles put to sale, be not mixt or altered from their right kinds, but that they be good & lawfull as they ought to be. And it is lawfull for the said Maior, with the said Master & Wardens, to dampne, auoide, and utterly to cast away all such Oyles as they finde defectiue, or falsely, or deceiueably mixed & altered from their right kinds, without let of any person. And also they may commit such person as shalbe found defective by using such deceit or craft to ward, and punish them by their discretions, according to the lawes and customes within the Citie or li- bertie of London, used and made for their misdoers. 3. 1. H. 8. 14.

Searching of
oyle in London

2. **C**The Maior in every citie, borough, and to wne where a Maior is, London,

Searching of
oyle out of
London.

Ordinarie.

of the gouernours or rulers of euery other Citie, Bozough &c. for the time being, haue within their iurisdiction, libertie, and franchise, like authoritie to make and doe like search, order, direction, correction, punishment and execution for the same, of, for, and vpon all oyles being defective, or deceiueably, or falsely mixed and altered, by any person within their liberties & franchises, in maner & forme before rehearsed, and as the Maiors, Masters, and Wardens of the Citie of London haue or may in London &c. 3. H. 8. 14.

¶ Ordinarie.

Ordinarie charged as executor.

[If by the death of any dying intestat, which is bound to some other for debt, the goods come to the Ordinaries handes to be disposed, the Ordinarie is bound to answer as farre forth as the goods of the dead will extend, in such sort as executors should haue bene bound, if the partie had made a will. West. 2. 13. Ed. 1. 19.

Ordinarie indicted of extortion.

2 ¶ No Ordinarie, or any minister of his shalbe indicted of extortion or oppression generally, but it must be declared and put in certaine in the indictment, in what thing, of what, and in what maner the said Ordinaries or their ministers haue done extortion and oppression, or other wise the said Ordinarie &c. shal not be impeached by the Quenes Justices, for the said indictment. 25. Ed. 3. 9. Stat. pro clero.

Religious houses within the visitation of the Ordinarie.

3 ¶ An. 31. H. 8. 13. it was enacted, That such of the late Monasteries, Abbathies, Priories, Priors, Colledges, hospitals, houses of Friers, and other religious & ecclesiasticall houses and places, & all churches and chappels to any of them belonging, which before the dissolution, suppression, or comming vnto H. 8. were exempted from the visitation, & all other iurisdiction of the ordinarie, within whose Dioces they were situate, should be within the iurisdiction & visitation of the Ordinaries, within whose Dioces they or any of them be situate, or of such persons as by the said King H. 8. should be appointed, any exemption, libertie, or iurisdiction notwithstanding. 31. H. 8. 12.

1 The Ordinaries authoritie and duety, when any question for tithes shall come in debate before him. S. Tythes. 20. 21. 31.

2 That the Ordinarie may suspend him which chiderh in a church or churchyard. S. Fighting. 2.

3 The Ordinaries authoritie in punishing the incontineny of ecclesiasticall persons. S. Incontineny. 1.

4 Where the Ordinarie must giue the patron notice of depriuati-
on vi. monethes before Lapse. S. Lapse. 1.

5 That the Ordinarie may visite Hospitals within his Dioces, and call the officers to accompt. S. Hospitals. 1.

6 For the Ordinaries duetie in prouing of testaments and graun-
ting administration, S. Probate, &c.

Omeale.

If any person will take upon him to sell Omeale, which is impaired by any crafty meanes, first he shall be grievously punished, and being the second time comit, he shall lose all his Omeale, the third time shall bee adiudged to the Pylopy, and the fourth time hee shall forfeare the towne. 51. Ed. 1.

Selling of corrupt Omeale.

Pardon.

No Charter of Pardon of any felony, robbery, or homicide, shall bee granted to any person, but where the Quene may doe it saving her oth taken at her coronation, (viz. Whether a man killeth another in his own defence, or by misfortune. 2. Ed. 3. 2.) And if any Charter bee otherwise graunted, it shall be void. 4. Ed. 3. 12. 10. Ed. 3. 2. 14. Ed. 3. 15.

Of what offences pards may be graunted.

2 In every Charter of pardon of Felony, which shall be graunted at any mans suggestion, the suggestion, and the name of him that maketh it, shall be comprised in the same Charter. And if afterward the suggestion be found untrue, the charter shalbe disallowed and accompted nothing woorth. And the Justices before whom such charters shall be alledged, shall inquire of the same suggestions, and if they finde them untrue, they shall disallow the Charters, and further procede as the law requireth. An. 27. Ed. 3. 2.

The suggestion comprised in the pardon.

3 No Charter of Pardon shall bee allowed before any Justice for further, or for the death of a man slaine by await, assault, or malice prepenced, treason, or Rape of a womā, unlesse the same murther, death, treason or rape be specified in the same Charter, and if a Charter of the death of a man be alledged before any Justices, in which it is not specified that he of whose death any such is arraigned, was murdered or slaine by await, assault, or malice prepenced, the same Justices shall inquire by a good Enquest of the visne, where the dead was slaine, if he were murdered or slaine by await, assault, or malice prepenced. And if they finde that he was murdered or slaine by await &c. the Charter shall be disallowed, and further therein shall bee done, as the law requireth 13. R. 2. 1. 16. R. 2. 6.

The offences specified in the pardon.

4 If any man or woman, do desire, or pursue, or cause to be requested or pursued, for any Charter of pardon, for any felon arraigned of felony, murther, or rape, which for safegard of his life doth become an approuer, the name of him or her which pursueth such charter, shal be put in y charter making mention that the same charter is graunted at his request and instance. And if he to whom the charter is graunted, after his deliuerance becommeth a felon againe the same person which did pursue for his charter, shall forfe. to the R. C. li. &c. 5. H. 4. 2.

Pardon of an approuer.

5 If the Quen do grant to any person any charter of pardon, of any homicide, robbery, or felony, then hee to whom the same is graunted shall come within 3. moneths next after the making of the same, before y

hee that hath a pards shal find suerties for his good abearing.

Parliament.

Sherife and Coroners of the Countie where the felony was done, and shall find vi. good and sufficient Painpernours, for whom the said Sherife and Coroners will answer, that hee from thenceforth shall beare himselfe well and lawfully. And the mainprises shall be sealed and returned into the Chauncerie within iij. weeks after the end of the said iij. moneths. And if he which hath such Charter will aide himselfe thereby, and hath not found such mainprises, or after such mainprise found doth beare him otherwise against the peace then he ought, his Charter shall be accounted void and of no force. 10. Ed. 2. 3.

1 What thinges be requisite to make pardons of vtlawrie allowed. S. Exigent 23.

2 That none haue authority to pardon Felons &c. but the Queen. S. Prærogatiue. 17.

¶ Parliament.

Each man that ought, shall upon summons come to the parliament,

Every person of y^e realme which hath summons to come to the Parliament, which shall be holden once every yeere, & more often if need be. 4. Ed. 3. 13. 36. Ed. 3. 10.) be he Archbishop, Bishop, Duke, Earle, Baron, Baronet, Knight of the Shire, Citize of Citie, Burgesse of Borough, or other singuler person or comminalltie, that doth absent himselfe & cometh not at the said summons, (except hee can reasonably and honestly excuse himselfe to the M. maiestie.) shalbe amerced, and otherwise punished according as hath bene bled 5. R. 2. 4.

No man shall depart from the parliament without licence.

2 ¶ No Knight, Citizen, Burgesse, or Baron, that shall be elected to come or be in any Parliament, shall depart from the same Parliament, nor absent himselfe from the same, untill the same Parliament bee fully finished, ended, or prorogued, (except he haue licence of the speaker, & commons in the said Parliament assembled, and the same licence bee entred of record in the booke of the Clerke of the Parliament appointed for the common house) vpon paine to lose all those summes of money which hee ought to haue had for his wages. And all the Counties, Cities, and Boroughes, whereof any such person shall be elected, and the inhabitants of the same, shall be cleerely discharged of the said wages, against y^e said person and his executors for ever. 6. H. 8. 16.

Returne of the writs for the parliament.

3 ¶ If any Shire of the realme be negligent in making his returne of writs of the Parliament, or leaue out of the said returnes any Cities, or Boroughes, which be bound, or of old times were wont to come to the Parliament, he shall be punished in such sort, as it hath bene bled &c. 5. R. 2. Stat. 2. 4.

The manner of the election of the knights for the parliament

4 ¶ At the next Countie holden after the deliuerie of the M. writte, for the election of the knightes of the Parliament, proclamation shall be made in the full Countie, of the day and place of the Parliament, and that all they which bee there present, as well sutozs summoned for the same cause, as other, shall attend to the election of their knights for the Parliament.

Parliament, and then in the full Countie they shall proceed to the election freely and indifferently (notwithstanding any prayer or commaundement to the contrarie. 7. H. 4. 15.) which election shall bee made by the sherrife in due and convenient time. (That is to say, every sherrife in his full countie shall make the same betwene the houre of six. and the houre of ix. in the forenone, without collusion.) And the knightes of the shires within England shalbe chosen by men dwelling and resident within the same Counties, whereof every one hath free landes or tenements, to the value of xl. s. by the year at the least, above all charges, within the same Countie, where any such person will meddle in the election. And they which shall be chosen, shall bee also remaining and dwelling within the same counties the day of the date of the writ, for summons of the Parliament. And they which have the greater number of those which may dispend xl. s. or above (be they absent or present) shal be returned by the Sherrife of every countie, knights for the Parliament, by indenture insealed, made betwixt the said sherrife, and the said choosers, and the indenture shalbe filed to the Parliament writte, which Indenture so sealed and filed, shalbe the return of the same writ. And every sherrife within y^e realm of England, hath authorizty to examin by oth, vpon the holy Euangelists every such Elector, how much he may dispend by yere (for he that can not dispend xl. s. by yere, shal not in any maner be a chooser of the knights of the Parliament.) And if any sherrife returne knights for the Parliament contrary to this statute, or doth not make his electio within y^e foresaid time: the Justices of Assise in their sessions haue power to enquire thereof, and if by enquest it be found before the same Justices, & the sherrife thereof attainted, he shall for. to the R. C. li. & also be imprisoned a yere, without being let to baile or mainprise. And moreover he shall for. and pay to every person chosen knight for the shire, and not duely returned C. li. whereof every knight so grieved shall haue his action of debt against y^e said sherrife, his executors or administrators, to demand and haue the said C. li. with his costes in that case dispended, wherein no W. C. &c. And also the knights for the Parliament returned in contrary maner, shall lose their wages. 7. H. 4. 15. 11. H. 4. 1. 1. H. 5. 1. 8. H. 6. 7. 10. H. 6. 2. 23. H. 6. 15. But y^e Sherrifs which shall make such elections, shall haue their answer, & traaverse to such Enquests, and Offices found before the Justices of assise. And neither the Sherrifes nor the Knights supposed to be unduely returned, shall incurre any damage to the Quene, untill they be duely committed, according to the course of the law. 6. H. 6. 4.

The Sherrifs
for failure.

5 Cuerte Sherrife after the deliuerie of the Quenes writ for the Parliament, shal make & deliuer without fraud a sufficient precept under his Seale to every Mayor and Bailife, or to Bailifes or Bailife, where no Mayor is, of the Cities and Bozoughes within his Countie, reciting the same writ, commaunding them by the same precept (if it be a Citie)

Election of
Burgesses.

Parliament.

to chole by Citizens of the same Citie, and in the same manner, if it be a borough, by the Burgeses of the same, to come to the Parliament. And the same Shaloz and Bailife or Bailifes &c. shall retorne lawfully the precept, to the same Sherife, by indenture betwixt the same Sherife, & them of the said election, and of the names of the Citizens and Burgeses by them so chosen, and thereupon every Sherif shal make a good and rightfull retorne of every such writ, & of every retorne of the Shalozs, or Bailifs &c. to him made. And every Sherife at every time that he doth contrary to this statute, or any other statutes for the election of Knights, Citizens, and Burgeses, to come to any Parliament (made before the xix. day of Februarie, An. Do. 1444. and 23. H. 6.) shal forf. to the Quene C. li. and be one yere imprisoned without baile or mainprise, & moreover shal forf. and pay to every person chosen knight, citizen, or burgesse in his Countie to come to any Parliament, and not duely returned C. li. whereof every knight, citizen, or burgesse so grieved severally, shal have his action of debt, against the said Sherife, or his executozs or administrators, to demand and have the said C. li. with his costes in that case expended, wherein no W. C. &c. 23. H. 6. 15.

Other Bur-
geses returned
then which bee
chosen.

6 **At** everie time that any Shaloz, and Bailifs, or bailife, or bailifes where no Shaloz is, shall retorne other persons then those which bee chosen by the Citizens and Burgeses of the Cities, or Boroughes where such elections shall be made, they shal forf. to the Q. rl. li. and also they shal forf. and pay to everie person, chosen citizen, or Burgesse for the parliament, & not by the said Shaloz &c. or Bailifs, &c. returned rl. li. whereof every of the Citizens or Burgeses so grieved, severally shall have his action of debt against the said Shalozs, and Bailifs, or Bailife, or Bailifes where no Shaloz is, against their executozs, or administrators, to demand and have rl. li. with his costes in that case expended, wherein no Wager. C. &c. 23. H. 6. 15.

A knight or
burgesse put
out, & another
put in his
place.

7 **If** any Knight, Citizen, or Burgesse, returned by the Sherife to come to the Parliament in forme aforesaid, bee after such retorne by any person put out, and another put in his place, such person put in the place of him which is so put out, if he take upon him to be a Knight, Citizen, or Burgesse at any Parliament, shal forf. to the Quene C. li. and also C. li. to the knight, citizen, or burgesse so returned by the Sherife, & after wardes put out, for the which C. li. the knight citizen, or burgesse put out, shal have his action of debt against such person put in his place, his executozs or administrators, 23. H. 6. 15.

Within what
time the suit
shal be com-
menced.

8 **But** the said Knight, Citizen or Burgesse put out, and every other person before named, which shall or may have any action of debt against any Sherife, maior, bailife, bailifs, &c. for to demand C. li. or rl. li. by force of any branch or clause before rehearsed, shall begin his action of debt, within three moneths after the same parliament commenced, & proceede

in

in the same suit effectually without fraude. And if he do not so, any other that will sue shall haue the said action of debt, to haue and recouer y^e same summe, with his costes in that behalfe dispended in maner and forme aforesaid, wherein no *W. C.* *23. H. 6. 15.*

9 *The knights of the shires chosen for the Parliament, shall be worthy and notable knights of the same shires, for which they be chosen; or otherwise such notable Esquires, Gentlemen borne of the same Countiees, as shall be able to bee knights. And no man shall be such a knight which standeth in the degree of a yeoman or vnder. 23. H. 6. 15. And y^e Citizens and Burgesles of Cities, and Boroughs shall be chosen of men which bee Citizens and Burgesles, resiant, dwelling, and enfranchised in the same Cities and Boroughs, and in none other maner. 1. H. 5. 1.*

Who shall bee knights for the parliament.

Citizens and Burgesles.

10 *The Quene's roiall assent, by her letters patents vnder her great seale, and assigned with her hand, and declared and notified in her absence, to the Lordes spiritual and tempozall, and to the commons assembled together in the high house, is, and euer was, and shall be of as good strength and force, as though the Quene's person had bene there personally present, and had assented openly and publicly to the same. 33. H. 8. 21.*

The Quene's assent.

11 *If any Lord, or other spirituall man, or tempozall, haue purchased any landes, tenements, or possessions that were wont before the said purchase to be contributory to the expences of the knightes coming to the Parliament, the said Landes, Tenementes, and possessions, and the Tenants of the same shall be contributory to the said expences, as the said landes &c. were wont to be, before the time of the same purchase. 12. R. 2. 12.*

12 *The Sherife of every Countie for the time being, in the next Countie Courte holden in their Countiees, after the deliuerance of the Quene's wittes to them, De solutione feodi militis Parliamenti, shall make open proclamation, that the Coroners, and euerie chiefe Constable of Peace of the said Countiees, and the Bailifes of every hundred or wapensake of the same Countie, and all other which will be at the assessing of the wages of the knights of the shires, shall be at the next county there to be holden, to asseste the saide wages of the said knightes. And the Sherife, vnder Sherife, Coroners, or Bailifes for the time being, shall be there at the same time in their proper person, vpon paine of forfeiture to the Q. of every of them that maketh default xl. s. at which time the said Sherife or vnder Sherife, in the presence of them that shall come to the same, and of the iutors of the said Countiees then being there in the full countie, well and duly shall asseste euerie hundred to that assessable, by it selfe, to pay a certaine summe for wages of the knightes of the shire, so that the whole summe of all the hundreds do not exceed the summe which shall be due to the said knightes, and after that, in the same countie shall asseste every village within the said hundreds, which shall be there assessable,*

Landes contributory to knightes wages The order of leuying knightes wages.

Partition, Parceners,

to a certaine summe for the payment of the said wages, so that the whole summe of all the toiwnes, within any of the said hundreds doe not exceede the summe assessed vpon the hundred of which they bee. And the said sherifes, vndersherifs, bailifes, nor no other officer, for the cause aforesaid shal leuie moze money of any village, then that wherunto they were assessed. And if any doe, or will aslesse any hundred, or village other wise then is aforesaid, they shal for. for every default to the M. xx. li. and to any man which will sue in this case x. li. And the said sherifes well & due ly shall leuie the money so assessed vpon the foresaid villages, as some as they well may, after the said assessing, and the same shall deliuer to the said knights, according to the wryttes thereof, vpon the foresaid paines, &c. & he that will sue in this case shal be thereunto admitted, and shal haue a Scire fac. against him that offendeth against this stat. & if the defendant duely warned in the same, make default, or else appeare & be in the same conuict, then the plaintifes shal recouer against them which be so conuict x. li. to their owne vse, besides the said xx. li. with their treble dammages, for the costes of their suites. 23. H. 6. 11.

1 How they shalbe punished which do assault any Lord knight, or burgesse of the Parliaments, or any of their seruantes S. Fighting. 5.

2 In what sort he shall be vsed which entreth into the parliament house, without taking the oth for the assurance of the Queens power ouer allestates. S. Queene. 5.

3 For the knights and burgeses of Parliament, to be chosen in euery shire, citie and towne corporat in Wales, and for their wages. S. Wales. 116. 117. 118. 119. 120. 121.

4 That there shalbe 2. knightes for the Countie, and two Citizens for the citie of Chester for euery parliament S. Chester. 2.

5 That they which come to the conuocation, shall haue such liberties as they which come to the parliament. S. Conuocation. 1.

6 That no appeales shalbe sued in the parliament. S. Appeale. 1.

Partition, Parceners.

If an inheritance which is holden of the Quene in Capite, doe descend to diuers Coparceners, then all the heirs shal doe homage to the Quen, and the inheritance which is holden of the Quene shall bee so deuided amongest the heires, that euery of them from thenceforth shall holde her part of the Quen. Prærog. Regis 17. Ed. 2. 5. And if they be within age, the Quene shall haue the wardshippe, and marriage of euery one of them, and so shall euery other Lord of whom they hold their landes. Sta. Hibernia.

2 **A**ll iointenants and tenants in common of any estate, or estates of inheritance, in their owne rightes, or in the rightes of their wiues, of any manors, landes, tenementes or hereditamentes, within England, Wales, or the marches of the same, shall and may be compelled to make par-

Partition of
lands holden
in Capite.

Jointenants
tenants in com-
mon, may bee
compelled to
make particio.

par,

particion betwē them, of all such manors, landes, tenements, and hereditaments, as they hold as Joynttenantes or tenants in common, by writ De particione facienda, in like maner, as coparceners by the common lawes haue been and are compellable to do, and the same writ shall be pursued at the common law. 31. H. 8. 1.

3 But every of the said Joynttenantes, or tenants in common & their heires after such particion made, shall and may haue aide of the other, or of their heires, to the intent to deraine the warrantie paramount, and to recover for the rate, as is used betwēne parceners after particion by order of the common law. 31. H. 8. 1.

As after particion.

4 All Joynttenantes, and tenants in common, and every of them, which hold Joyntly or in common for terme of life, yere, or yērs, or Joynttenants, or tenants in common, where one or some of them haue estate, or estates for terme of life or yērs, with & other that haue estate or estates of inheritance of freehold, in any manors, landes, tenements, or hereditaments, shall and may be compellable by writ of Particion, to be pursued out of the Chauncerie, vpon his or their case, to make particion of all such landes, &c. which they hold Joyntly or in common, for terme of life or lines, yere or yēres, where one or some of them hold Joyntly or in common for terme of life, or yeres, with other, or that haue an estate or estates of inheritance or freehold. 32. H. 8. 32.

Joynttenantes for life or yeres

5 But no such particion to be made by force of this stat. shall be prejudiciall to any persons, their heires or successors, other then such which be parties to the said particion, their executors or assignes. 32. H. 8. 32.

Particion prejudiciall to none but which be parties thereunto.

1 How much the vsurpation of a coparcener vpon his coheire, shall preiudice him in his presentation. S. Auowson 6.

2 In what maner, and betwixt whom particion shall be made of landes in Gauekind in Kent. S. Prærogative 16.

Pattens, and Pattenmakers.

If any Patten maker within this Realme, doth make Pattens or Clogges of such part of Aspe timber, which is able and sufficient to be made in shaftes, he shall forsait to the D. and J. for every time rl.s. But it is lawfull to the Patten makers of this Realme, to make Pattens of such timber of Aspe that is not apt, sufficient or convenient to be made in shaftes. 4. Ed. 4. 9. 4. H. 5. 3.

Pattens of Aspe.

Patentes.

The day of the deliuerie of every warrant sent by the Quēene or her heires, to the Chaunceloz of England, shall be entred of record in the Chauncerie. And the Chaunceloz shall cause letters patentes to be made vpon the same warrant, bearing date the day of the said deliuerie in the Chauncerie, and not before. And if any letters patentes be made to the contrary, they shall be void. 18. H. 6. 1.

Letters patentes shall beare the date of the deliuerie of the warrant.

2 If any person do make suit to the D. for any landes, tenementes,

G g iij.

offices,

Patentes of
lands, &c. gra-
ted to others
during plea-
sure.

A confirmati-
on of the let-
ters patents
of M. Eliza-
beth made of
to be made.

offices, or any other things, by her Grace granted, or to be granted to any person during her pleasure, the first patents then being in life, he shal expresse in the said bill of petition or patent, the tenor of the said former patent, and that the Queene hath determined her pleasure against the said first patentee, or else the said second letters patentees of any of the premisses to any person to be granted, shall be void. 6. H. 8. 15.

3. ¶ As well all and singular letters Patents, Indentures, and other writings, sealed under the great seale of England, or under the seale of the Duchie Lancaster, or the seale of the Countie Palantine of Lancaster, and heretofore made or granted by our soueraigne Ladie Queene Elizabeth, sithence 18. Nouember, Anno 1. of her raigne, for any summes of money, or for any other considerations, as all other letters patents hereafter to be made by our said soueraigne Lady, for any summe of money, or other considerations, during seven yeres next ensuing the making of this act, being 15. die Martij An. Do. 1575, to any body politique or corporate, or to any other person or persons whatsoever, of any honours, castles, manours, lordshippes, granges, messes, landes, tenements, medowes, pastures, rents, reuerfions, seruices, woods, auowfons, nominations, patronages, annuities, rightes, interestes, entries, condicions, lētes, courts, liberties, priuiledges, franchisees, or any other hereditaments, with their appurtenances, or of any part or parcel of them, sealed with or under the great Seale of Englande, or under the Seale of the Duchie of Lancaster, or the Seale of the Countie Palantine of Lancaster, of whatsoever kinde, nature, or qualitie they or any of them be, or shalbe reputed, known or taken, with their appurtenances, or any part or parcell of them, shall be good, perfect, and effectual in the law, and shal stand, be taken, and aduinged good, perfect, and effectual, in the law against the M. her heires, and successours, according to the tenor and effect of the said letters patents, the same to be expounded & iudged most beneficiall to the patentees and grauntees of the same, & their assignes, according vnto the wordes, and purport of euery of the said letters patents, without any confirmation, licence or tolleracion of the Queene, her heires or successours, any misnaming, misrecitall, or non recitall of any the same honours, castles, manours, landes, tenements, and other the premisses, or any parcell thereof, or any lacke of finding of offices, or inquisitions, of, and in the premisses, or any part thereof, whereby the title of the M. therein ought to haue bene found, before the making of the same letters patents, or other writings, or any misrecitall, or non recitall of leases thereof before made, as well of recorde as not of recorde, or any lacke of the certaintie, miscasting, rating, or setting forth of the prierly value and rate of the premisses, or of the prierly rentes reserved, of, and for the premisses, or any parcell thereof, mentioned or contained in any of the said letters patentees, or other writings, or for that the premisses

premisses be, or any part thereof is valued to a more lesse value in þ said letters patents or writings, then the said landes, and other the premisses then were, or shall be in yerely value, or any misnaming, or not true naming of the towtens, hamlets, parishes, or counties, tohere the same landes, tenements, rents, hereditaments, and other the premisses, and e uery parcel, or any parcell thereof lyen or been, or any lacke of the true naming of the landes, tenements, or hereditaments, or of the natures, kinds, soztes, qualities, or quantities of the said possessions, or hereditaments, or any parcell thereof, or any lacke of the true naming of the corporation, or any lacke of the atturment, luerie or seisin, or of any misnaming of any of the late tenants, or sermoys of the same honoys, manors, lands, tenements, and hereditaments, or any part thereof, so sold, graunted, or giuen, notwithstanding. 18. Cl. 2.

4 ¶ All and singular such patentees, grantees, and donees, & euery of them, which at any time heretofore sithence the said 18. day of Nouem. in the 1. yere of the Q. raigne, haue obtained of our soueraigne I ady the Q. or at any time after the session of Parliament ended (16. Mar. Anno Do. 1575.) during the space of 7. yerres, shall obtaine of her Maestie by way of exchange, or for any summe of money, or other considerations, any letters patents, of any manors, landes, tenements, or hereditaments, which at the date and making of the said letters patents were or shall be at the time of making such letters patents, of better and more yerely value to the Quene, and so answered in yerely rent and ferme, then was, is, or shalbe contained and specifed in any such letters patents, or in the particulars or rate thereof, made, or to be made by any Auditor, Suruey, or and other officer, then euery such patentee, grauntee, or donee, their heires, executoys, or assignes, and euerie of them within one yere next after office, or other due prooffe, order and decre thercof to bee made within ten yerres next after 16. Mar. An. Dom. 1575. in the Elchequer, shall pay vnto the Q. her heires and successoys, for the same ouerplus of the same landes &c. so sold, giuen, graunted, or exchanged, after the rate of 1x. yerres purchase, and according to such yerely value and rate, as the same landes, tenements and other hereditaments were, and answered at the time of the making of any such letters patents so made or to be made, in maner and forme alsoe said; any thing contained in any such letters patents &c. notwithstanding. 18. Cl. 2.

The answer for þ ouerplus of lands granted by the Q. patent.

1x. yerres purchase.

5 ¶ But this act shall not extende to confirme or make good any lease or leases, made or to be made by the Quene, for terme of life, lues, or for yerres, whereupon the olde and accustomed rentes or moze be not, or hereafter shall not bee reserved, and yerely payable during the terme of euery such Lease: For this Acts shall extende to reuinue or make good any Letters Patents, made of any office or offices to any Comptroller, Customer, Aulneger, Searcher, nor to any Letters Patentes

Patentes or grantees wherunto this Act extendeth not.

of

Patentes of
lands whereof
a traueſe is
tendred.

Patentes of
offices.

Patentes of
concealed
lande.

of the graunt of any other office or offices heretofore made by the Queen, which noto bee, or at any time heretofore haue bene determined, or made to be by iudgement, by authority of Parliament, or by Decree: Nor to any Patents to be made to any person for terme of yeares, or during the minority of any heire, of any manors, landes, or tenementes, whereof any traueſe ſhalbe tendred, within thre monethes after any office found, and certified vnto any the Queenes courtes of record. Nor to make good any letters patentes made by our ſaid ſoueraigne Lady of any office to be of any other effect then the ſame letters patentes were or ſhould haue been, befoze the making of this acte. Neither ſhall it extend to any letters patentes, which at any time heretofore, ſithence the beginning of the Queenes Raigne hath bene, or hereafter ſhall be made by the Queene to any perſon of any manors, landes, tenementes, rentes, reuerſions, ſeruices, or other hereditaments, by force of any information, ſuit, or ſuggeſtion made, or to be made to her Highneſſe, that the ſame landes &c. ſo contained in any ſuch letters patents, were concealed lande. But the ſame letters patentes, and euery of them, ſhall remaine and be in the ſame force & effect, as they were befoze the making of this act. 18. Eliz. 2.

6 **S**auing to all other perſons, and bodies politique and corporate, their heires and ſucceſſors, and euery of them, all ſuch right, title, intereſt, poſſeſſion, eſtate, leaſes, rents, ſeruices, commons, and all other profits and commodities whatſoeuer, as they or any of them ſhould or might haue had befoze the letters patents thereof made, if this act had neuer been made. 18. El.

A confirmation
of al aſſurances
made to the Q.

Other menys
right ſaued.

7 **A**ll ſeoffementes, fines, ſurrenders, aſſurances, conueſances, and eſtates, had or made, to or for our ſoueraigne Ladie Queene Elizabeth ſithence 18. Nobemb. An. 1. of her raigne, or to be made at any time during by. yeres (next after the end of this parliament being 15. die Mar. Anno Dom. 1575.) by any perſon, body politique or corporate, of any lands, tenementes, rents, and other hereditaments, for any debt, ſumme of money, or other conſideration whatſoeuer, ſhalbe good and auaileable in the law, to all intents, according to the true meaning of the ſame. **S**auing to all and euery perſon and perſons, and their heires, bodies politique and corporate, and their ſucceſſors, (other then ſuch perſon and perſons, their heires and wiues, being parties or priues to ſuch conueyances, &c. bodies polit. or corporate, and their ſucceſſors &c. of whom the Q. hath obtained or purchaſed, or ſhall obtaine or purchaſe during the ſaid 7. yeres, any landes, &c. by exchange, gift, bargain, or otherwiſe) all ſuch right, title, intereſt, vie, poſſeſſions, rentes, reuerſions, remainders, offices, fees, commons, profits, and commodities whatſoeuer, which they or any of them haue, might, or ought to haue had, of, in, or to the premiſſes, or any part thereof in as ample maner, to all intents, as if this Act had

had neuer been made. 18. Eliz. 2.

8 **Can.** 34. & 35. H. 8. 21. The like stat. was made confirming all letters patents, indentures, and other writings made, or granted to any person or persons &c. by the said king vnder the great seale of England, the seale of the Duchie of Lancaster, or the seale of the Court of augmentations, sithence 4. of Feb. An. 27. H. 8. vntil 12. Maii. An. 35. of his reigne, and to be made by. yeaes after, notwithstanding any misnaming, misprisson, misrecitall &c. vt supra. And also confirming all exchanges, fines, feoffements, recoveries, deeds, inrolled &c. made within the foresaid time, by any persons to the said king, of any lands, tenementes, or hereditaments &c. notwithstanding any misrecitall, misnaming, non recitall, or not naming of any the said lands, &c.

A confirmatio
of the patents
of king H. 8.

9 **Can.** 1. Ed. 6. 8. The like stat. was made, confirming all letters patents, indentures, and other writings made or granted, to any person or persons &c. by the said king vnder any of the foresaid thre seales, sithence 28. Jan. An. 1. Ed. 6. and to be made during the said Kinges life, notwithstanding any misnaming, misrecitall &c.

A confirmatio
of the patents
of king Ed. 6.

10 **Can.** 7. Ed. 6. 3. A stat. was made, confirming all letters patents, made by the king H. 8. sithence 4. Feb. An. 27. of his reigne, & by king Ed. 6. sithence 28. Jan. An. 1. of his reigne, of bargaines and sales, giftes, exchanges &c. notwithstanding the lacke or losse of the particulers, or the bill assigned of the patents, & notwithstanding the nonage of the said king Edw. the first, as Duke of Lancaster, or any Ape, statute, or lawes, for, or concerning any tenures or reseruacions of rentes or tenthes to the contrarie &c.

A confirmatio
of the patents
of king H. 8. &
king Ed. 6.

11 **Can.** 4. & 5. H. 8. 1. A statute was made confirming all letters patents, indentures, and other writings made by the said king & Queene, or by the said Queene, vnder the great seale of England, or the seale of the duchy of Lancaster, sithence 7. Jul. An. 1. H. 8. vntil 7. Mar. An. Do. 1557. & to be made by the said king and Queene, during 7. yeaes after the said seventh day of March, notwithstanding any misnaming, misrecitall &c. vt supra. And also confirming all feoffementes, fines, surrenders &c. made within the foresaid time by any person, body politique, or corporate, to the said king and Queene, or to the said Queene, of any lands, tenements, or hereditaments.

A confirmatio
of the patents
of king H. 8. and
Q. Marie.

12 **Can.** Every person to whom the Queene shall grant the custodie and wardshippe of any of her wardes, shall vpon his bill assigned thereof, sue forth his patent within foure moneths next after the assignment of the said bill, or else the same bill, and the effect thereof shall be utterly void. 32. Hen. 8. 46. And euery person to whom the Queene shall graunt any Liuerie, to be sued vpon his bill assigned thereof, with the Queens hand, or with the hands of the officers of her court of Wardes & Liuries, shall sue forth his patent within thre moneths next after the assignment

Within what
time a patent
shalbe sued
forth of a ward-
ship or liuerie.

of

Periurie.

of the said bill, or else the same bill, and the effect thereof shall bee utterly void. 33. H. 8. 22.

A patent of
Lands seiled
vpon an En-
quest taken be-
fore an Esche-
tor.

13. **I**f a Patent bee made to any person, of landes seiled into the Quenes handes vpon an Enquest taken before an Escheator or Commissioner or any of the same landes letten to ferme by any of the Quenes officers, vntill the same Enquest be returned into the Chauncerie or Eschequer, and that the lands haue remained in the Quenes hands, vntill such Enquest be returned and one moneth after, the patent shall be void, except such as doe find themselves grieved by the same Enquests do come into the Chauncerie within three moneths after the same office put into the Chauncerie, or Eschequer, and do offer to trauesse the Enquest, and to take the same lands to ferme, shewing good euidence, prouing their trauesse to be true, to whom the landes shall be let to ferme, to hold vntill the issue vpon the same trauesse be found, or the Quene, or the partie finding sufficient suertie to pursue the said trauesse with effect, and to pay to the Quene the rent if by right it bee hers. And then all other patents made thereof within the three moneths shalbe void. 36. Edw. 3. 13. 8. H. 6. 16. 18. H. 6. 6. 1. H. 8. 10.

1. Wherin an Assise doth lie against the Quenes patentee. S. Ass. 5.

2. That a patent graunted of the office of a Sherife or vnder sherife, in fee, for life, or yeares shalbe void. S. Sherife. 4.

3. That Knightes fees, auowsons and dowers do not passe by patent without speciall words. S. Prærogatiue 15.

4. How long a patent made to an Eschetour for that office shal endure. S. Eschetor 8.

5. Of what offices there shall be no estate graunted by patent, but the Officers shalbe remouable. S. Officers 3.

6. That a patent made to a Vitailer to be a Purueyor for the Q. cariage is void. S. Purueiour 12.

7. What thinges shall be put in euerie patent granted, to make an Alien Denizen. S. Aliens 15.

8. That an Exemplification of patent shall be of the same force that a patent is. S. Exemplification 1.

9. Where a patent may be made void, by being retained, wearing the liuerie, or doing seruice to another. S. Liuerie. 7. 8.

¶ Periurie.

Procuring
wilful periury.

Euery person, which shall vnlawfully and corruptly procure any witness by Letters, Rewardes, Promises, or by any other sinister or vnlawfull labour, or meanes, to commit any wilfull and corrupt periury in any matter or cause, depending in suit and variance, by any writ, action, bill, complaint, or information, in any wise concerning any lands, tenementes, or hereditaments, or any goods, cattelles, debtes, or damages, in any of the Courts of Chauncerie, Starre chamber, Whitehall,

or in any other of the Quenes courts of record, or in any leete, view of franke pledge, or lawday, auncient demesne, court hundred, court baron, or in the court or courtes of the Stancie in the Counties of Devon and Cornwall, or shall unlawfully and corruptly procure or suborne any witness, which shalbe sworn to testify In perpetuam rei memoriam: Then every such offender shall for his said offence being thereof lawfully convicted or attainted, for. xl. li. to the Queen & partie grieved &c. that will sue by A. J. &c. wherein no W. C. P. J. &c. And if it happen any such offender being so convicted &c. not to have any goods or cattels, landes, or tenements, to the value of xl. li. then he shall suffer imprisonment one halfe yeere without baile or mainprise, and stand upon the pillorie one whole hower, in some market Towne, where, or next adjoining to the place where the offence was committed, in open market there. And no person being so convicted &c. shall be from thenceforth received as a witness to be deposed in any Court of recorde, within any of the Quenes Dominions of England, Wales, or the marches of the same, untill the Judgement given against him, shall be reversed by attainr, or otherwise, and upon everie such reuerfall the partie grieved shall recover his dammages against all and everie such person and persons, as did procure & said judgement so reversed to be first given against him by action, to be sued upon his case, according to the course of the common law. 5. Cl. 9. 29. Eliz. 5. S. Maintenance 4.

4. If any person either by the subornation, unlawfull procurement, sinister perswasion, or meanes of any others, or by his owne act, consent, or agreement, shall wilfully and corruptly commit any manner of wilfull periurie by his deposition in any of the Courtes before mentioned, or being examined Ad perpetuam rei memoriam, then hee being thereof duly convicted or attainted, by the lawes of this realme, shall for his said offence forsaith xx. li. to the Q. and P. grieved &c. that will sue by A. J. &c. wherein no W. C. P. J. &c. and shall have vi. moneths imprisonment, without baile or mainprise, and his oth from thenceforth shall not be received in any court of record &c. untill the judgement given against him shall be reversed by attainr or otherwise. And upon every such reuerfall, the partie grieved shall recover his dammages against all and every such person and persons, as did procure the said judgement so reversed, to be given against him, by action to be sued upon his case &c. And if the said offender have not any goods or Cattels to the value of xx. li. then he shall be set on the pillorie in some market place, within the Shire, Citie, or Borough, where the said offence shall be committed, by the Sheriffe or his Ministers, if it bee without any citie or towne corporate. And if it bee within any citie or towne corporate, then by the head Officer or Officers of the same Citie &c. or by his or their ministers, and there shall have both his ears nailed, and from thenceforth be discredited and disabled for ever to be sworn

Committing
wilful perjury

Pewter, Brasse, Pewterers.

Twoone in any of the courts of record aforesaid, untill the iudgement shall be rendered, and thereupon shall recover his damages in maner & sozme befoze mencioned. 5. Cl. 9. 29. Cl. 5.

Periurie committed in any ecclesiastical Court.

3 But this Act doth not extende to any ecclesiasticall court within England, Wales, or the Marches of the same, but every such offendor, as shall offend in sozme aforesaid, shall and may be punished by such ordinarie lawes, as heretofore hath been, and yet are used in the said ecclesiasticall court. 5. Cl. 9. 29. Cl. 5.

Periurie punishable in the Starre chamber & other courts.

4 Aswel the Judge and Judges of every such Court where any such suit shalbe, wherupon any such periurie shalbe committed, as also the Justices of assise, & gaole deliverie, and the Justices of peace at their quarter sessions, have power to enquire of, heare, & determine all the offences committed contrarie to this act by inquisition, presentment, bill or information. And the Justices of assise of every circuit within this Realme, and elsewhere within the Queens dominions, shall in every countie within these circuits, two times in the yeere, that is to say, in the time of their sittings, make open Proclamation of this Statute, or of the effect thereof, to the intent that no person shall be ignorant of the penalties herein contained. But this Statute doth not restrain the power geuen by a Statute made Ann. 11. H. 7. 25, to the Lord Chancelour and others of the Queens counsel, to examine and punish riots, routes, heinous perjuries, & other offences (which have used to heare and determine such matters, in the Star Chamber at Westminster,) nor to restrain the power of the Lord President and Counsel in the marches of Wales, or in the North, nor of any other Judge having absolute power to punish periurie, befoze the making of this statute. But everie of them shall and may proceed in the punishment of al offences, heretofore punishable, in such wise, as they might have done & used to do befoze the making of this act, to all purposes, so that they set not vpon the offendors lesse punishment then is contained in this act. 5. Cl. 9. 29. Cl. 5. S. Justices of peace. 23.

1 Where, in what cases, and in what maner periurie shall be punished by attain. S Attaint.

Pewter, Brasse, Pewterers.

Pewter shalbe sold in faires and markets, and in the owners house only.

NO person or persons using the craft of Pewterers and Brassers, shall sell or change any pewter or Brasse, new or old at any place within this realme, but onely in open faires, markets, or in their own dwelling houses, but if they be desired by the buyers of such wares, vpon paine of for. for every such default to the D. and to him that will lesse, or present the same, or that will sue for the same by A. J. et. x. li. wherein no W. C. P. ec. 19. H. 7. 6. 4. H. 8. 7. 25. H. 8. 9.

Of what goodnes pewter & brasse vessel ought to be.

2 If any person either worke or cast any pewter vessel or brasse at any place within this realme, except it be as good fine metall as is the pewter & brasse cast and wrought after the perfect goodnes of the same within the

the Citty of London, and by the statutes of the same ought to be, hee shall forfeit. to the vse of the Q. and the finder thereof, or of him that will seise or sue for the same by A. J. &c. all such pewter and brasse to cast, & wrought of worse pewter and brasse &c. But this forfeiture shall not extend to brasse or pewter being in the possession of any person, other then the workers of the same, or such as haue the same to sell, or being of the crafts &c. 19. H. 7. 6. 4. H. 8. 7. 25. H. 8. 9.

3 **C** No person shall make any hollow wares of Pewter, viz. Saltes and Pottes that are made of pewter, called lay mettall, but that it be after the assise of pewter lay mettall wrought within London. And the makers of such wares, shall marke the same with seuerall markes of their owne, to the intent that they shall auoid the same wares by them wrought, and all such wares not sufficiently made, and not marked in forme aforesaid, found in the possession of the same maker, or seller, shall be forfeited. And if the same ware bee sold, the maker shall forfeit to the vse of the Quene, and of the finder, or searcher, or of him that will seise or sue for the same by A. J. &c. the value of the same ware so unlawfully wrought and sold. 19. H. 7. 6. 4. H. 8. 7. 25. H. 8. 9.

Hollow wares
Marking of
vessel.

4 **C** If any person using buying and selling of pewter or brasse, do occupie any deceivable, untrue, or false beams, or weights of the said wares, he shall forfeit. to the Q. and the partie that wil sue, by A. of debt xx. s. where in no D. C. &c. And also the party so offending, shall forfeit. his beame, to him that shall seise it. And if the said offender bee not sufficient to pay his said summe by him so forfeit. then it is lawfull to the Maiors, Bailiffs, or other head officers of such places where any such offenders shall be found, to put him in the stocks, and so to keepe him until the next market day, next adjoining, and in the market place to put him on the pillorie all the market time. 19. H. 7. 6. 4. H. 8. 7.

Occupying
false beames &
weights about
brasse & pew-
ter.

5 **C** It is lawfull for the Maiors, and Wardens of the craft of Pewterers within every Citty and Borough where such Wardens are, and where no such Wardens are, for the head officers, or gouernours of the same citty or Borough, to appoint certain persons, most expert in knowledge of the same, to make search in the said Cities or Boroughes where they dwell. And the Iustices of Peace in euery Shire, at their generall Sessions holden at Michaelmas, shall appoint it: persons hauing experience therein, to make search in the premisses, in euery part of that Shire, as well within franchises as without (sauing in Cities and Boroughes, where searchers be appointed by the gouernours of the same.) And al such unlawfull pewter, or brasse, as the said searchers shall find, shall be to the vse of the Quene and of the said searchers. And in default of the said Maiors and Wardens of the said occupations, not searching in foure aforesaid, and whereby any such unlawfull metal is cast or made, or unlawfull weight used, it is lawfull to any person hauing

Searchers of
pewter and
brasse.

sufficient

Pewter, Brasse, Pewterers.

insufficient cunning in the said occupations, by oversight of the Maiors, Bailiffs, or head officers of the said Cities, Boroughs, & Townes, to search all the said places, and to put the said authoritie and act in execution, in forme aforesaid. 19. H. 7. 6. 4. H. 8. 7.

Searchers of
tinne or pew-
ter wares.

6 If any deceivable workmanship of tinne or pewter, be found either in chargers, platters, dishes, sawlers, porringers, trenchers, basons, flagons, bottelles, pottes, saltcellers, goblets, spoons, cruets, or candlesticks, or any other such wares of tin or pewter, whatsoever it be, cast or wrought within this Realme, or without, and brought to be sold within this Realme, it is lawfull to the Maiors of London, and the Masters and Wardens of the craft of Pewterers of the said Citie and their deputies, to have search of the same within the Citie of London, and the Suburbs of the same. And in all other Cities, Boroughs and townes where any Wardens be or shall be, the maiors, bailiffs, or head officers, and wardens have like authoritie, and where no wardens be, then the head Officers, or Governours of the same Cities, Boroughs, and Townes, have authoritie to appoint certaine persons most cunning in knowledge of the same, to make search within the said Cities, Boroughs and Townes where they dwell. And if any such new wares, wrought of Tyne, and Pewter be found defective and being in the possession of the seller, then the same person that putteth any such new wares of Pewter to sale, shall forfeit the same wares to the Quene, and searchers or finders, or to him that will seile or sue for the same by A. 3. etc. wherein no W. etc. C. P. etc. But this acte concerning the forfeitures is not prejudicial to any person having the graunt of king H. 8. or of any of his progenitors, by his letters pattents, of such for. But every of them shall enjoy the same according to their graunts and liberties. 4. H. 8. 7. 25. H. 8. 9. 33. H. 8. 4.

Wares of tin
made out of
this realme.

7 No person inhabiting within this realme, shall buy or take by exchange, for other Wares, any Wares made out of this Realme, of tin, or mixt with tinne, as platters, dishes, saucers, pottes, basons, ewers, flagons, goblets, salts, saltcellers, spoons, or any other thing made of tin, or pewter, whatsoever it be, upon paine of for. (to the use of the M. and the finders thereof) of the same wares, in whose hands soever it may be found or taken, and also lawfull money current in this realme, to the full value thereof. And it is lawfull to the masters & wardens of the craft of pewterers within every city, borough and towne of this realme, where such wardens be, & where no such wardens be, to the head officers, or governours of the same Citie etc. to appoint divers persons most expert in knowledge of the same to make search and seisure of all such wares, as shall be brought contrarie to the true intent of this acte, in whose soever possessions any such shall be found. 25. H. 8. 9. And if any person do unlawfully withstand, disturbe, or let the said master, & wardens or their

Withstanding
seisure.

depu-

deputies, or any of the head officers or gouernours of Cities, Townes, or Boroughes, wherein no such master and wardens are, in searching and seising such wares as shall be brought into this Realme contrarie to the forme aforesaid. Then every such person so offending, shall for, for ever, y^e time so doing to the vse of the Quene and J. v. li. to be rec. by A. J. ec. wherein no W. C. D. ec. 33. H. 8. 4.

8 ¶ No straunger borne out of this Realme shall vse the saide crafte of pewterers, nor worke any maner of bestell, or other ware aforesaide, to be made vpon tyme or pewter, within any place of this Realme, vpon paine of for, of x. li. to the vse of the Q. and J. to be reconered by A. J. ec. wherein no W. C. D. ec. And also vpon paine of for, of the same pewter or tyme so wrought, in whose hands soener it may be found, or taken. 25. H. 8. 9. 33. H. 8. 4.

No stranger borne shal worke pewter.

9 ¶ No persons being borne within this Realme, occupying or exercising the said craft of pewterers, shall resort into any straung regions, or countries, there to teach, or exercise the saide craft of pewterers, vpon paine to lose the priuiledge and benefite of an English man. 25. H. 8. 9. 33. H. 8. 4.

No pewterer shal teach or vse his trade in a foraigne region.

¶ Phisitions.

King Henry the eight by his letters patentes bearing date at Westm. the xxiij. day of September, in the x. yere of his raigne, did erect, constitute, ordaine, and appoint a perpetuall Colledge of graue and learned men, which should openly practise phisicke, within the Citie and suburbs of London, and within vij. miles every way rounde about the same Citie, And did grant that all men of the same facultie, of, and in the saide Citie, should be in deede and name one body and a Comminaltie, or Colledge perpetuall. And that the same Comminaltie, or Colledge may p^{er}ely for ever chuse and make of their comminalties some wise man, and expert in the science of phisicke, to be President of the said Colledge or Comminaltie, to ouerse, correct, and gouerne for the p^{er}e the saide Colledge or Comminalty, and all men of the same facultie and their affaires. And that the same President and Colledge or Comminaltie should haue a perpetuall succession, and a common seale continually to be employed into the businesse and vse of the said President and Colledge. And that they and their successors for ever should be persons able, and of sufficient capacitie to purchase and possesse in fee and perpetuitie, any landes, tenements, rents, and other possessions whatsoever. And that they & their successors might purchase as well within the Citie as without, any landes and tenements whatsoever not exceeding the value of xij. li. by the yere, notwithstanding the statute of Mortmaine. And that they by the names of the President of the Colledge or Comminaltie of the facultie of phisicke in London, may implead and be impleaded before any Judges, in any courts or actions whatsoever. And that the saide

The phisitions in London made a body corporate.

President of the Colledge.

A common seale.

H. J.

President,

Phisitions.

Sue and be
sued.

Ordinaries.

Four Count-
noys.

Not summo-
ned in Iuries.

The liberties
of London sa-
ued.

The corporati-
on of phisitions
confirmed.

President, and Colledge of comminaltie and their successors may law-
fully make honest and lawfull congregations, statutes, and ordinances
for the gouernement, ouersight and correction of the said Colledge of com-
minaltie and of all men practising phisicke, within the said Citie and by
miles round about, as necessitie requireth without impediment of the
king his heires, successors, or any of his officers. And that no man in the
saide Citie or within vij. miles compasse thereof, shall practise the saide
facultie, except he be admitted thereunto by the said President and com-
minaltie, or their successors for the time being, but the letters of the said
President and comminaltie sealed with their seale upon paine of T. s. for
every moneth that any which is not admitted, shall practise the foresaide
facultie, whereof one halfe to be imploied to the kinges vse, and the o-
ther to the vse of the President and Comminaltie. And that the Presi-
dent and Colledge of the foresaide comminaltie, for the time being, and
their successors, for euer shall pcerely chouse some which shall haue the sur-
uey, search, correction and gouernance, of all the Phisitions of the saide
Citie, vsing the facultie of Phisicke, within the same Citie, and of o-
ther foraine Phisitions whatsoeuer vsing the same facultie within the
same Citie and suburbes, or within vij. miles compasse of the same Citie,
and the punishment of them for their offences, in not well executing, do-
ing and vsing thereof, and also the suruey and search of all manner of Me-
dicines, and their receipts to be giuen, imploied & vsed by the same Phis-
itions, or any of them, to any of the kings liege people for the curing and
healing of their diseases, as often and when soeuer it shall be needefull for
the profite of the same people, so that the punishment of the same Phisiti-
ons vsing the saide facultie, so offending in the premisses, be executed by
fines, amerciaments, imprisonment of their bodie, and by other reason-
able & conuenient waies. And that neither the President nor any of the
said Colledge of Phisitions, nor their successors, nor any of the practising
Phisicke within the foresaide Citie, suburbes, or els where, shall be sum-
moned, or put in Assises, Iuries, Enquests, Inquisitions, Attaints, and
other recognisances taken or summoned within the said citie & suburbes,
before the Iustices and Sherifes, or Coroners of the said Citie, or any offi-
cer or minister of theirs, though the same Iuries, Inquisitions, or recog-
nisances, were summoned upon writs of right. But that the said Masters,
Gouernors, comminaltie, & their successors, and euery of them practising
the said facultie, shalbe for euer discharged against the said king, his heires
and successors, and against the Iustices and Sherifes of the foresaide Citie
for the time being, & all their officers. In which letters Patents there is
a Prouiso, that the said letters or any thing therein contained, shall not be
preiudiciall to the Citie of London, or the liberties thereof.

2 ¶ After by the statutes made 14. H. 8. 5. & 1. H. 9. the said corpora-
tion of the said comminaltie, & fellowship of the facultie of Phisicke, and
euery

every grant, article, and other thing contained in the said letters patents, be approved, graunted, and confirmed, and clerely authorised & admitted by the same, good, lawfull, and able to the said body corporate and their successors for ever, in as large manner as may be taken, thought, and construed by the same.

3. **¶** There shall be eight persons of the said comminaltie, which shall be called Electes, and the same Elects shall yeerely chuse one of them to be President of the said comminaltie, & as often as any of the same Elects shall be voided by death, or otherwise, then the surueyours of the same Elects, within thirtie or fortie dayes after the death of any of them, shall chuse and admitt one, or more, as neede shall require of the most cunning and expert men of the saide facultie in London, to supply the said rometh and number of eight persons, so that he or they that shall be so chosen, be first by the saide surueyours straitly examined after a forme devised by the said Electes, and also by the said surueyours approved. 14. H. 8. 5.

by Electors.
President.

4. **¶** Whensoever the President of the said Colledge &c. or such as the said President or Colledge shall yeerely authorize to search, examine, and punish all offenders in the said facultie, within the same Citie & precinct, shall commit any such offender for his offences or disobedience (contrarie to any article, or clause contained in the said graunt, or act made 14. H. 8) to any warder, gaoler, or prison within the saide Citie and precinct (the Tower of London except:) Then the Warden, Gaoler, or Keeper of the prison shall receive into his prison every such person so offending as shall be so committed to him, & there shall safely keepe him at the proper costes of the saide person so committed without baile or mainprise, untill such offender be discharged of the said imprisonment by the saide President, and such persons as by the saide Colledge shall be authorized, upon paine that every such warden, gaoler &c. doing contrary, shall forfeite to the use of the said President & Colledge, the double of such fine & amercement as such offender or disobedient shall be assessed to pay, by such as the said President and Colledge shall authorize, so that the same fine and amercement be not at any time above xx. li. to be rec. by A. J. &c. wherein no W. &c. P. &c. 1. H. 9.

Imprisonment
of offenders.

5. **¶** The President of the said comminaltie, and every fellow thereof, and their successors shall be discharged to keepe any watch or ward in the Citie of London, or suburbs of the same. And they nor any of them shall be chosen Constable, or any other officer in the saide Citie or suburbs. And if the said President or any of the said fellows be appointed or elected to any watch, or ward, office of Constable, or other office within the saide citie or suburbs, the same appointment or election shall be voided. 32. H. 8. 40.

Whistons discharged to be
officers in
London.

6. **¶** No person out of the Citie of London, and precinct of vij. miles of

Every phisition
shall be
of

Phisitions.

allowed by the
Bishop of the
Dioces.

of the same (except he hath bene approued in the same) shall take vpon him to exercise & occupie as a phisition in any Dioces within this realme, but if he hath bene first examined & approued by the Bishop of the same Dioces, or (he being out of the Dioces) by his vicar generall, eyther of them calling to them such expert persons in the saide facultie, as to them shall seme good, and giuing their letters testimoniall vnder their seale to him that they shall so approue, vpon paine of for. for every moneth that he doth occupie, not examined and approued v.l. to the vse of the Q. & J. to be recovered by A. of debt, wherein no W. J. p. ec. But this act is not prejudiciall to either of the vniuersities of Oxford or Cambridge, or to any priuiledges graunted to them. 3. H. 8. 11. And in the same statute it was further enacted that no person within London or vij. miles compass, should occupie as a Phisition except he be first proued, & admitted by the Bishop of London or the Deane of Bowles, calling to him iij. Doctors in Phisicke. But S. 1. & 2. Quere.

Every phisiti-
on shall be al-
lowed by the
President and
the Elects.

7 ¶ No person shall be suffered to practise in phisicke through england, untill he be examined at London by the president of the Colledge of the facultie of Phisicke, and iij. of the Elects, and hath from the saide President or Elects letters testimonials of their approuing & examination, except he be a Graduat of Oxford or Cambridge, which hath accomplished all things for his forme without any grace. 14. H. 8. 5.

Four phisiti-
ons shall search
pothecary
wares.

8 ¶ The President for the time being, commons and fellowes of the fellowship of the facultie of Phisicke in London, and their successors, may peereley elect iij. persons of the saide fellowes of the best learned, wisest and most discrete, and the saide iij. persons so elected after a corporall othe to them ministred by the said President or his deputie, haue authoritie as often as they shall thinke convenient, to enter into the house of all and every Pothecarie vsing the mysterie of a Pothecarie within the said Citie, onely to search, view & see such pothecarie wares, drugges, and stufte, as the saide Pothecaries or any of them haue in their houses, and all such wares, drugges, and stufte as the said iij. persons shall then finde defectiue, corrupted, & not meete to be ministred in any medicines for the health of mans bodie, the same iij. persons calling to them the Wardens of the said mysterie of Pothecaries within the said Citie, or one of them, shall cause to be burned, or otherwise destroy the same, as they shall thinke meete. 32. H. 8. 40. But if the said Warden or Wardens doe refuse, or delay his or their comming therunto forthwith when the said President or iij. of his Colledge elect doe call vpon him or them: then the said Phisitions may and shall execute that search and view, and the due punishment of the Pothecaries for any their euill and faultie stufte, without the assistance of any of the saide Wardens. 1. H. 9. And if any of the said Pothecaries at any time doe obstinately or willingly refuse, or denie the said iij. persons to enter into his house, for the causes before rehearsed, then

for every time that he doth so offend, he shall forfeite to the Quene and J. h. li. to be rec. by A. J. &c. wherein no W. &c. C. P. &c. 32. H. 8. 40. And every such person as will resist such search, shall forfeit. x. li. to the Q. and the said President and Colledge, to be recovered by A. J. &c. wherein no W. &c. C. &c. 1. P. 9.

9 ¶ If any of the said iij. persons so elected, doe refuse to be swozne, or after his othe to him ministred, doe obstinately refuse to make the said search once in the yeere, at such times as they shall thinke convenient, having no lawfull impediment by sicknesse or otherwise to the contrarie, then for every such obstinate default, every of them making default, shall forfeit. xl. s. 32. H. 8. 40.

10 ¶ All Justices, Mayors, Sherifes, bailifes, constables & other ministers & officers within the Citie & suburbs of London, and by. miles compasse of the said Citie, upon request to them made, shall aide & assist the President of the said Colledge, and all persons by them from time to time authorisid, for the due execution of the foresaid statute 14. H. 8. & 32. H. 8. upon paine for not giving of such aide, helpe, and assistance to runne in contempt of the Quenes Maiestie, her heires and successors. 1. P. 9.

1 That no Phisitions may practise surgerie. S. Surgeons. 2.

¶ Piracie.

All treasons, felonies, robberies, murders, and confederations, committed upon the Sea or in any other Haven, River, Creeke, or place where the Admirall hath, or pretendeth to have jurisdiction, shall be inquired, tried, heard, determined, and iudged in such shires and places in the Realme, as shalbe limited in the Quenes commission, or commissions to be directed for the same, in like forme as if any such offences had bene committed upon the land. And such commissions shall be had under the great Seale, directed to the Admirall, or his lieutenant, and deputie, and to iij. or iij. such other as shall be appointed by the Lord Chancellor, as oft as neede shall require to heare and determine such offences after the common course of the lawes of this lande used for treasons, felonies, robberies, murders, and confederacies of the same, committed upon the land within this Realme. 28. H. 8. 15. S. Treason 13. That the tryall of treason shalbe according to the due course of the common lawe. Et ideo quare.

2 ¶ Such persons to whom such commissions shalbe directed, or iij. of them at the least, shall have power to enquire of such offences, by the othes of twelve good and lawfull inhabitants in the shire, limited in their commission, in such manner, as if such offences had bene committed upon the lande, within the same shire, every indictment found & presented before such commissioners of any treasons, felonies, robberies, murders, manslaughteres, or such other offences committed upon the seas, or upon any other haven, river, or creeke, shall be good and effectuell in the lawe.

H. 8. 15.

And

Elected refusing to be swozne, or to make search.

Other magistrates that assist & phisitions

Trial of offences done within Admirals jurisdiction.

The commissioners authority.

Playes and Games.

And if any person happen to be indicted for any such offence done upon the Seas, or in any other place above limited, then such order, proces, indgment, and execution shalbe bled, and made to and against every such person so indicted, as against traitors, felons, and murderers, for treason, felony, robbery, murder, or other such offences done upon the land. And the tryall of such offence (if it be denyed by the offendor) shalbe had by twelve lawfull men inhabiting in the shire limited within such commission, and no challenge to be had for the hundred. And such as shalbe convicted of any such offence by verdict, confession, or proces, by authoritie of any such commission, shall suffer such paines of death, losses of lands, goods and cattels as if they had bene attainted & convicted of any of the said offences done upon the land. An. 28. H. 8. 15.

Things taken
upon necessitie.

3 **T**his act shall not be prejudiciall to any person for taking any bitaile, gables, ropes, ankers, or sailes, which be compelled by necessitie, taketh in any shippe, which may conveniently spare the same, so the same person pay out of hande for the same bitaile, cables &c. money or money worth, to the value of the thing so taken, or doeth deliver for the same a sufficient Bill obligatorie to be paide in forme following, viz. if the taking of the same things be on this side the straites of Marroke, then to be paide within iij. moneths, and if it be beyond the said straites, then to be paide within xij. monethes next ensuing the making of such billes, & that the makers of such billes truly pay the same debt at the day limited within the said billes. 28. H. 8. 15.

Commissions
directed unto
the v. portes.

4 **W**hensoever any such commission for the punishment of any of the offences aforesaid, shalbe directed to any place within the iurisdiction of the five portes. Then it shall be directed unto the Lord Warden of the said portes, or to his deputie, and unto iij. or iiij. such other persons, as the Lord Chaunceloz shall appoint. And every inquisition and triall there, of any of the offences aforesaid, shalbe made by the inhabitantes in the saide five portes, or the members thereof. 28. H. 8. 15. S. Admiral. 2.

Playes and Games.

Maintenance
of houses for
unlawful
games.

No person by himselfe, or any other, shall for his gaine or living keep or maintaine any common house, alley, or place of bowling, quoyting, closh, cailles, halfebowles, tennis, dicing, table, or carding, or any other maner of game prohibited by any statute, or any unlawfull netwe game now invented, or made, or any other new unlawfull game hereafter to be invented, found, or made, upon paine to forfeit for every day keeping or maintaining, or suffering any such game to be had, kept, executed, played or maintained within any such house, gardeine, alley, or other place, contrary to the forme & effect aforesaid xl. s. And also every person using & haunting any of the said houses and places, and there playing, shall forfeit for every time so doing vij. s. viij. d. 33. H. 8. 9.

Playing at
unlawful
games.

Placards.

2 **I**f any person sue for any placard to have common gaming in his

his house, contrary to this statute. When it shalbe contained in the same placard what game shalbe bled in the same house, and what person shall play therat. And every placard graunted to the contrary shalbe void. And also the party obtaining any such placard, befoze he put the same in execution, shalbe bound with sufficient suerties with him by recognisance in the Chauncery, in a certayne summe to be appointed by the Lord Chauncel-
lor, that he shall not vse the saide placards contrary to the forme thereof.
33. H. 8. 9. But by the statute made An. 1. & 3. P. & 9. Every licence, placard, or graunt, befoze that time made to any person or persons, for the hauing, maintaining, or keeping of bolwling alleis, Dicing houses, or other vnlawfull games prohibited by the laws & statutes of this Realme, were made void.

3 ¶ No artificer, or craftesman of any handicraft, husbandman, apprentice, labourer, seruant of husbandry, iourneyman, or seruant of artificers, mariners, fishermen, watermen, or any seruicingman, shall play at the Tables, Tennis, Dice, Cards, Bowles, Clash, Copting, Logating, or any other vnlawful games out of Christmas, vnder the paine of twentie shillings to be forfeited for every time, and in Christmas to play at any of the saide games in their masters houses, or in their masters presence. But it is lawfull to every master to licence his seruants to play at Cardes, Dice, or Tables, with their master, or any other gentleman repaying to their master, openly in his house, or in his presence, and it is lawfull for every such seruant for every time so being licenced as is afoze-
said to play &c. 33. H. 8. 9.

Persons prohibited to play at vnlawful games.

Playing by licence.

4 ¶ No person shall at any time play at any Bowle or Bowles, in open places out of his gardeine or orchard, vnder the paine for every time so offending to forfeite vi. s. viij. d. But it is lawfull to every noble man, and other, hauing lands, tenements, or other pcerely profits for terme of life, in his owne right, or in his wiues, to the pcerely value of £. li. or a boue, to commaund or licence his seruants of his house for to play within the precinct of his house, gardein, or orchard, at cards, dice, tables, bowles, or tennis, as well amongst theselues, as other repairing to the said house, and they so playing by commaundement or licence shall not incurre any penaltie contained in this act for the same. 33. H. 8. 9.

5 ¶ It is lawfull to all and euerie the Justices of peace in every shire, Baiois, Sherifes, Bailifes, and other head officers, within euerie Citie, Towne, and Bozough, from time to time as well within liberties as without, as neede and case shall require, to enter and resort into all houses, places, and Allyes, where vnlawfull games shall be suspected to be holden or bled, contrary to this statute: And as well the keepers of the same, as also the persons there resorting and playing to arrest and imprison, and to keepe in prison, vntill the keepers of the saide playes and games, haue found suerties to the D. vse, to be bound by recognisance

Magistrates may repress vnlawful games.

Poore people.

or otherwise, no longer to keepe or occupy any such house, playe, game, alley, or place. And also the persons there so found, shall in like case be bound by them selues, or else with suerties by the discretion of the Justices, Maiors, Sherifes &c. no more to play, haunt, or exercise from henceforth, in, at, or to any of y^e said places or games. And all Justices of peace, Maiors, & head Officers &c. and euery of them, finding or knowing any person vsing any vnlawfull games, contrarie to this statute, haue authoritie to commit euery such offender to warde, there to remaine without baile or mainprise vntil such time he be bound by obligation to y^e Quenes Ple, in such summe of money, as by the discretion of the saide Justices, Maiors, Bailifes &c. shall be thought reasonable, that he shall not from thenceforth vse such vnlawfull games. 33. H. 8. 9.

Officers shal
make search
where vnlaw-
ful games be.

6 **E**f the Maiors, Sherifs, bailifes, constables, & other head officers within their cities, boroughes, and townes, aswell within franchises as without, doe not make due search weekly, or at the furthest once euery moneth, if y^e case so require, in all places, where any houses, alies, plaies, or places of vnlawfull games shall be suspected to be had and maintained, and do not execute the statute in all things according to the purport of the same: Then euery such Maior, or other head officer, shall forfeite for euery moneth, not making such search, nor executing the same xl. s. And all Maiors, Bailifes, Sherifes, & other head officers, shall once euery quarter, make proclamation of this statute in euery market holden within their seuerall iurisdiction. And in like sort shall the Justices of assise, gaole deliuer, & peace, in their seuerall circuites & sessions before them holden, to the intent euery person may haue knowledge of the same. 33. H. 8. 9.

proclamation
of this statute.

7 **E**where any forfeiture giue by this stat. promised for the maintenance of Artillerie & debarring of vnlawfull games shall be found in any franchise, leete or lawday, the lord of the same shall haue y^e one moiety thereof, & any of the M. subiects, shall haue the other that will sue for the same in any of the Quenes Courtes. And where such forfeiture shalbe found out of the precinct of any franchise, leete, or lawday, the one moiety thereof shall be to the Quene, and the other to any of her subiects that will sue for the same, by A. J. &c. wherein no W. C. P. &c. But all informations, actions, suites &c. that shalbe sued vpon any part of this statute, shall bee commenced within the yere after the offence committed, or otherwise no advantage thereof shalbe taken. 33. H. 8. 9.

Who shall haue
the forfeiture.

See Actions popular. 11,

That all suites to be commenced vpon this statute shall be at the Assises, quarter Sessions, or in the Leete.

Poore people.

The helpe and
speede of poore
persons in suit

Euery poore person which shall haue cause of action against any other, shall haue by the discretion of the Chaunceloz, writs original, & writs of Subpena, according to the nature of his cause, nothing paying to the Quene

Quene for the seales of the same, nor to any person for the writting of the same writs, and the saide Chaunceloz shall assigne such of the Clerkes, which shall vse the making and writting of the same writs, to write the same readie to be sealed, and also learned Counsell and Atturneyes for the same, without any reward taking therefoze. And after the said writs be returned, if it be befoze the Quene in her bench, the Justices there shall assigne to y^e same poze person counsell learned by their discretions, which shall giue their counsell nothing taking for the same. And in liketwise the Justices shall appoint atturneyes for the same poze person, and all other officers requisite to be had for the speede of the said suites, which shall doe their duties without any rewardes for their counsels, helpe, and businesse in the same. And the same law and order shalbe obserued of all such suits to be made befoze the Quenes Justices of her common place, & Barons of her Eschequer, & all other Justices in courts of record, where any such suites shalbe. 11. H. 7. 12.

2 C Ann. 14. El. 5. It was enacted, that the Justices of Peace of all the shires of England and Wales, and all other Justices of the peace, Maiors, Sherifes, Bailifes, and other officers of every Citie, borough, ryding & franchises within this Realme, whereof they be Justices within the limits of their authoritie, should immediately after deuide themselves, and so being deuided, should within euery of their seuerall diuisions and authoritties, make diligent inquirie of all aged, poze, impotent, and decayed persons, bozne within their saide deuisions and limits, or which were there dwelling within thre yeres next befoze the said Parliament, which line, or of necessitie be compelled to line by almes, of the charitie of the people abiding within the limittes of their commissions, and should vpon that search make a register booke, containing the names and surnames of all such aged, decayed, and impotent poze people, as be within their saide limits, which shall alwayes remaine with the sayde Justices, or other head officers, or one of them. And when the number of the saide poze people be by that meanes truely knowen, then the sayd Justices, Maiors, and other Officers, shoulde within like conuenient time, appoint within euery their seuerall deuisions, conuenient places to settle the same poze people for their habitations and abidings, if the parish within the which they shall be found, shall not, or will not provide for them. And should also within like conuenient time, number all the saide poze people within their sayd seuerall limits, and therupon having regarde to the number sette downe what portion the weekely charge towards the reliefe of the said poze people will amount vnto, in euery their seuerall diuisions, and that done they should asseste all and euery the inhabitants, dwelling in euery Citie, Borough, Towne, Village, hamlet, and place knownen, within the saide limittes, to such charge, as euery of them shall weekely contribute towards the reliefe of the said poze people, and

Order for the placing and reliefe of y^e poze.

Habitations for the poze.

Reliefe of the poze.

Poore people.

and the names of all such inhabitants taxed, should also enter into the said Register booke, together with their taxation, and also should within euerie their saide diuisions, appoint Collectors for one whole yere, of the sayde weekly portion, which shall collect the saide portion, and make deliuerie of so much thereof to the saide poore people, as the saide Iustices Maiors, and other officers shall appoint them. And also should appoint ouersers of the saide poore people, to continue for one yere, and if they refuse to be ouersers, then euery of them to forf. x. s. for euery such default 14. Cl. 5. 3 I. Cl. 10.

Collectors
for the poore.

Ouersers of
the poore.

Search and
remouing of
poore persons.

3. ¶ The Maiors, and other head Officers of euery Citie, Borough, or Towne corporate, or their sufficient deputies, and the Constables, or tithingmen of euery hundred, rape, & wapentake, within euery the shires in England & Wales, in euery such abiding place within their hundreds and pzeincts appointed to settle the poore people in, shall once euery moneth next after the said places be inhabited with the said poore people, according to the intent of this act, make a search of all the aged, impotent, and lame persons, within the pzeinct of their iurisdiccions, and all such persons as they shall find not being bozne within that diuision, nor within the said Cities, Boroughes, or Townes corporate, then shall they presently see them, not there bozne, nor dwelling within the said iij. yeres, (except Leprous and Bedzed people) to be conueyed on horsebacke, cart, or otherwise, as they shall thinke good, to the next Constable, and so from Constable to Constable, the direct way, till the said person be brought to the place where he or she was bozne, or most conuerlant, by the space of thre yeres next before, and there to be put in one of the abiding places in that countrie, appointed for the habitation of the poore, & there to be kept of almes, as is aforesaid, vpon paine of xx. s. to be forfeited by euery officer that neglecting. 14. Cl. 5. 3 I. Cl. 10.

Poore refusing
to be bestowed
or departing
and begging.

4. ¶ If any of the said poore people, vpon the appointment of the saide Iustices or other Officers, refuse to be bestowed in any of the saide abiding places, but couet still to holde on his trade of begging, or after he bee once there bestowed, do depart & begge, then for the first offence he shalbe accompted a vagabond, and suffer as a vagabond in the first degre of punishment, and if he do the second time offende, then he shall be esteemed as a vagabond, and suffer as a vagabond in the last degre of punishment in all points. 14. Cl. 5. 3 I. Cl. 10.

Refusing to be
a Collector for
the poore.

5. ¶ If any person appointed to be a Collector, as is aforesaid, shall refuse the saide office, or shall after he hath agreed to it, neglect the same, he shall forf. for euery offence to the vse of the poore of the same place xl. s. to be leuied by distresse, or recouered by action, bill, plaint or information, in any Court of Record, or Lords Court, by the high Constables or Tithingmen aforesaid, in which no W. C. P. &c. And if the said high Constables shall be negligent to sue, or shall refuse to sue the saide Collectors

and

and euery of them, within two monethes next after such refusal or negligence. When the said high Constables or Tythingmen shall for. v. li. to the use of the poore of the same place, to be sued for, by and in the name of two of the next Justices of the said place, being out of Cities, Boroughs, and Townes corporate: If within, then by the bailifes, head officers, &c. of the said cities &c. in any Court of Recorde, or lords court, by A. J. &c. wherein no W. C. P. &c. And all for. appointed to grow by this statute (except the forfeitures of Justices of peace) shall wholly go & be employed to the use of the poore aforesaid, and shall be leuied by distresse, by the discretion of the Justices of the same countie or two of them, or other head officers aforesaid. 14. Cl. 5. 31. Cl. 10.

Not to the forfeitures that be employed.

6 ¶ Euery of the said Collectors shall make their accompt halfe yeerly, of their said collection to two Justices of the peace, dwelling next to the said abiding place or places, not being within any Citie, Borough or towne corporate, or to the chiefe officers &c. of the said Cities &c. When they go out of their offices, they shall deliuer forthwith vpon their accompts, all such surplusages of their collection, as shall then remaine undistributed, to be ordered by the said Justices or head officers, vpon paine of r. li. If any such collector shall refuse to make his accompt, or neglect the same, by the space of xiiij. dayes after request to him therfore made, then the said two Justices or one of them shall commit him to the next gaole of the saide Countie, there to remaine without baille or maineprie, till he hath made his accompt and deliuerie of all such surplusages, as he hath received. 14. Cl. 5. 31. Cl. 10.

Collectors accompt.

7 ¶ If any person being able to further this charitable work, will obstinately refuse to giue towards the reliefe of the said poore people, or doe wilfully discourage others from so charitable a deede, he shall presently be brought before two Justices of the peace, whereof one to be of the Quorum of the same countie, to shew the cause of his obstinate refusal, or wilfull discouragement, and to abide such order therein, as the said Justices shall appoint, if he do refuse so to do, then to be committed to the next gaole of the said shire, there to remaine untill he be contented with their saide order, and doe performe the same. 14. Cl. 5. 31. Cl. 10.

Refusing to giue reliefe to the poore, or discouraging others.

8 ¶ If any of the said aged & impotent persons, not being so diseased, lame, or impotent, but that they may worke in some maner of work, shall be by the ouersers of their said abiding place appointed to worke, if they refuse, then they shall be whipped and stocked for their first refusal, & for their second refusal be punished, as in case of vagabonds in the first degree of punishment. 14. Cl. 5. 31. Cl. 10.

Impotent persons appointed to worke.

9 ¶ If any impotent person hauing a competent allowance provided for him within his parish, shall notwithstanding without licence wander abroad, loytering & begging, he or she shall for his or her first offence, be whipped, and so returned againe vnto his &c. parish. And if such person

The poore hauing allowance shall not wander abroad without licence.

shall

Poore people.

shall then estimes offende, being so provided for, then he shall suffer as a roge in the first degre, and if the said person shall then estimes offend, then he shall suffer such paines and forsaitures, as a roge in the second degre ought to doe; and so such further paine and penalties, as by the statute to Roges is limited, which offences shalbe tryed, inquired of, heard, and determined, as the like offences of other Roges. 18. Eliz. 3. 31. Eliz. 10.

The employing
of & surplussage
of the collection

10 ¶ Three Justices of peace, wherof one to be of the Quorum, with the surplussages of the said collections & forsaitures, (the said poore & impotent people satisfied and provided for) shal in such convenient places within their shires, as they shall thinke mete, settle to worke the roges that shalbe disposed to worke, bozne within their Counties, or their abiding for the most part within thre pæres, there to be holden to worke by the oversight of the said ouersers, to get their livings, and to be sustained only upon their labour. 14. Eliz. 3. 31. Eliz. 10.

Licence to
begge.

11 ¶ It shall be lawfull to and for the Justices of peace in their open sessions, or for the most parte of them there assembled, within any the Counties, Cities, or Townes, where collection of money cannot presently be had, as this Act appointeth, to graunt licence vnder their handes and seales, to such and so many of the saide poore and impotent, or diseased persons, or to any other persons by the saide Justices assigned for the saide poore, to aske, gather, and receiue within such other towne, parish, or parishes of the sayd Countie, as the said Justices there then shall specially assigne, the charitable deuotion and almes, at the houses of the inhabitants of such townes and parishes, so that they doe appoint the said poore so to be relieved only within the townes and parishes being within the deuisions of the same Justices, that so shall giue any such licence or licences. And the inhabitants of every such parish, to the which such poore or impotent persons shalbe so appointed, shall be bound vnder such paine as to the discretion of the saide Justices et. shall seeme convenient to relieve the sayd poore and impotent persons, in such sort; as the said Justices there assembled shall appoint, And if any Citie or towne corporate, haue in it more poore folkes, then the inhabitants therof shalbe able to relieve, in such case, vpon certificate thereof made, and of the number and names of the persons with which they be so surcharged vnto the Justices of the peace of the Countie, in which such Citie or towne corporate shall bee situate, at their quarter Sessions by two Justices of peace of the sayde Countie, and the Maior, and other head officers of the same citie or towne corporate, the Justices may in the same sessions cause & same poore folkes so certified to be relieved by giuing of licence to begge, or other wise, in some other places of the said countie, out of such citie or towne corporate so surcharged. 14. Eliz. 3. 31. Eliz. 10.

Relieving of
those which
haue licences.

Cities or townes
corporate
overcharged
with poore.

A Citie being
a countie of it

12 ¶ If any Citie or towne corporate, haue in it more impotent and poore

poore folke not able to labour, then the same is able to relieve, & the sayd ^{selfe} outchar-
citie or towne corporate is a countie of it selfe, or scituate in one countie, ^{ged with poore.}
& immediatly adioyning to another, in thole Cities or townes, the maior
or head officers of the same shall make certifficat to the Iustices of the
counties adioyning, which in their generall sessions shal giue licence, and
follow the order aboue remembred, according as other Iustices of the
counties in the which any towne or parish surcharged standeth, are au-
thorized to doe. 14. Cl. 5. 31. Cl. 10.

13 **C** Every summe of money collected within the Citie of London, Money gathe-
and the liberties of the same, by vertue of this act, shalbe payde vnto the red in London,
Gouernoz of the Hospitall of Christs church, within the said Citie. And Couentrie,
euery summe collected within the Citie of Couentrie & the liberties of Gloucester.
the same, by vertue of this act, towards the maintenance & reliefe of the Hos-
pitall of poore people, erected in the same Citie, shall be payde vnto such
Gouernozs of the saide Hospitall, as shall be appointed by the said Maior
and Aldermen of the saide Citie &c. And euery summe collected or payde
within the Citie of Gloucester, the liberties and limits of the same, for
the vse and reliefe of the poore, and euery other reliefe which shalbe paya-
ble &c. within the said Citie &c. towards the reliefe of the said poore, shal
be payde at the onely disposition of the President and Gouernozs of the
hospitall of Saint Bartholomew. And the saide summes shall be from
time to time distributed & bestowed for the reliefe of the poore of the same
ty. seuerall Cities, according to the discretions of the foresaid seuerall Co-
uernozs. 14. Cl. 5. 31. Cl. 10.

14 **C** No person hauing charge of any voyage in passing from Ire- No roge shalbe
land, or from the Isle of Man into this Realme, shall willingly transport, brought out of
or suffer to be transported into any ship, vessel, or boate out of Irelande, Ireland or the
or the said Isle of Man into England or Wales, any vagabond, roge, or Isle of Man.
begger, or any such as shalbe forced, or like to liue by begging, being bozne
in Ireland, or in the Isle of Man, vpon paine to forfaiture for euery such va-
gabond &c. being transported and set on lande in any part of England or
Wales xx. s. to the vse of the poore of the same parish in which they were
set on land, to be leuied by the Collectozs of the same poore, by seisure and
selling of any the goods & cattels of the same person, which so shall trans-
port any such vagabond &c. to the value of the same forfaiture, and vpon
paine that the same vagabonds, roges, and beggers so set on land, to bee
punished as other vagabonds. And if any such Spanishe or Irish roge or
begger shall be set on lande in any part of Englande or of Wales, the
same shalbe conueyed to the next port, in, or nere where he was landed,
and from thence to be transported at the common charge of the Countie
where he was set on land into the parties from whence he came. 14. Cl.
5. 31. Cl. 16.

15 **C** If any person shall finde himselfe grieved with any taxation set how he shalbe
reliued which
vpon

Poore people.

is grieved with any taxation. upon him by vertue of this act, it shalbe lawfull for him at the next generall Sessions of peace holden within the same shire where the taxation shalbe, to make complaint thereof to the Justices of the Bench, and to be eased of his excessive charge, by the discretion of the whole bench, or the most of them. 14. Cl. 5. 31. Cl. 10.

They shalbe
licenced which
resort to bath
Buckston.

16 ¶ No diseased or impotent poore person living on almes, shall repaire from their dwelling places to the Citie of Bath, or to the towne of Buckston &c. to the Bathes there for ease of his griefe, vnielſe he be not onely licenced so to do, by two Justices of peace of the Countie where he shall dwell and remaine, but also provided for by the inhabitants of such hundreds, parishes, or places, from whence he shall be so licenced to trauele, of such reliefe, for and towarde his maintenance, as shall be necessarie for him, for the time of his abode at the said Citie or Towne, to returne home againe, as shalbe limited by the same licence, vpon paine to be punished and vſed as a vagabond. And the inhabitants of the same Citie and Towne, shall not be charged by this act, with the finding or reliefe of any such poore people. 14. Cl. 5. 31. Cl. 10.

Disposition of
money giuen to
charitable
vſes.

17 ¶ Whereas any person by his lawfull erection, hath appointed any summe of money, rentes, reliefes, or commodities to the vſe of the poore, or for the repaying of high wayes, or bridges, not being taken away by acte of Parliament, whether the same bee in any Cathedral Church, Colledge, or else where, the Bishop of the Dioces or his Chancelor, within which the said Cathedral Church, Colledge or place is, and the Justices of peace of the countie within the which the said Cathedral Church, Colledge, or place is, or thre of them, (whereof one to be of the Quorum) haue authoritie fro time to time, to examine after what manner the laide money, rent, reliefe, or commoditie is bestowed, and to call to account, the parties which doe retaine the same, and thereuppon to take such order, for the distribution thereof, as to their discretions shall ſeeme moſt agreeable, to the god intent of the founders, giners, or granters, and thereof to make certificat in the Chauncery once every yere. 14. Cl. 5. 31. Cl. 10.

Reliefe of pri-
soners within
the gaole.

18 ¶ It shalbe lawfull for the Justices of peace of every shire within this Realme, at their quarter Sessions, or the most part of them being then present, to take euery parish within the said shires, at such reasonable summes of money, towarde the reliefe of the prisoners being within the common gaoles of the laide shire, as they shall thinke convenient, so that the said taxation doe not excede aboue vi. s. or viij. s. by the weeke out of euery parish. And the Churchwardens of euery parish shall euery Sunday leuie the same, and once euery quarter in the yere, pay to the high Constables, or head officers of euery towne, parish, hundred, riding or wapentake, all such summes of money, as their parish shall be rated, towarde the reliefe of the laide prisoners within their parishes.

And

And the saide high Constables and heade officers, shall paye all suche summes of money so to them payde at euery quarter Sessions, to such sufficient persons dwelling nigh the saide gaoles, as shall be appointed by the saide Iustices to be there ready to receiue the same. And the collectors shall weekly distribute all such summes of money, as euery of them shall receiue for the reliefe of the saide prisoners, vpon paine as well the saide Churchwardens of euery parish, Constables and head officers of euery hundred or wapentake, as also the saide collectors appointed for the collection and contribution of the saide prisoners so making default, to forf. v. li. to the M. etc. and to the reliefe of the prisoners. 14. Cl. 5. 31. Cl. 10.

19 **C**his act shall not extend to the poore people in the kings Holpitall in Southwarke, nere adioyning to the citie of London, but the said Hospital in Southwarke. Comminaltie, and Citizens of the said Citie, shall only haue the gouernment of the said Hospital, and of the poore people therein. Neither shall this act extend to disinherit or hinder Jo. Dutton of Dutton in the countie of Chester Esquier, his heires or assignes, concerning any libertie, inheritance, inheritance etc. which he beth or ought to vse within the Countie of Chester, Citie of Chester etc. by any ancient Charter, prescription, or title. 14. Cl. 5. 18. Cl. 3. 31. Cl. 10.

The kings
Hospital in
Southwarke.

Dutton.

20 **I**n euery citie and towne corporate within this realme, a competent store and stocke of woll, hempe, flaxe, Iron, or other stuffe by the appointment and order of the Mayor, Bailifes, Iustices, or other head Officers, hauing rule in the saide cities or townes corporate (of themselves and all other inhabitants, within their seuerall authoritties, to be taxed, leuied, & gathered) shall be provided. And likewise in euery other Market Towne, or other place within euery Countie of this Realme, (whereto the Iustices of peace, or greater part of them in their generall Sessions yearly next after Easter, within euery limit shall be thought most meete) a like competent store and stocke of woll, hempe, flaxe, Iron, or other stuffe, as the countrey is most meete for, by order of the saide Iustices (of all the inhabitants, within their seuerall authoritties, to be taxed, leuied, and gathered) shall be provided: the saide stockes and stores in such Cities and townes corporate to be committed to the custody of such persons as shall by the head officers (hauing authoritie there) be appointed, and in other townes and places to such persons as the saide Iustices of the peace or the greater part of them, in their generall Sessions, in their seuerall Counties shall be appointed, and euery person refusing to pay, or not paying any summe of money vpon him taxed towards the said stockes at such time as he shall be appointed, shall forf. double so much. An. 8. Cl. 3. 31. Cl. 10.

A stocke to set
poore people
on worke.

21 **T**he saide persons so appointed, shall haue authoritie by the aduice of them who do appoint them, to dispose, order, or giue rulers for the diuision

Collectors and
Gouernors of
the poore.

diuision

Poore people.

The order, use,
and employing
of the stocke.

division and manner of working of the said stockes and stoze, who shalbe called the collectors & gouernors of the poze, to the intent every such poze and needie person, old or young, able to do any worke standing in necessitie of reliefe, shall not for want of worke go abroad either begging, or committing pilfering, or other misdemeanors, living in idlenesse, which collectors and gouernors of the poze, from time to time (as cause requireth) shall & may of the same stocke & stoze, deliver to such needy person, a competent portion to be wrought into parne, or other matter, within such time, and in such sort as in their discretions shall be limited, and the same after wardes being wrought, to be from time to time delivered to the said collectors and gouernors of the poze, for which they shall make payment to them which worke the same, according to the desert of the worke, and of new deliver more to be wrought, and so from time to time deliver stuffe unwrought, and receive the same againe wrought as often as cause shall require, which hempe, woll, flaxe, or other stuffe wrought, shall be sold by the said collectors and gouernors, at such time as they shall thinke mete, and with the money coming of the sale, to buye more stuffe, in such wise as the stocks or stoze shall not be decayed in value. 18. Cl. 3. 31. Cl. 10.

Refusing to
worke, or spoy-
ling the worke.

22 **C** If any such person able to doe any such worke, shall refuse to worke, or shall goe abroad begging, or live idly, or taking such worke shall spoye, or imbecill the same, in such wise that after monition given the Minister and Churchwardens of the parish, and collectors and gouernors of the poze, or the more part of them, shall thinke the same person not mete to haue any worke delivered out of the same stoze and stocke, then vpon certificat thereof made vnder their handes, and brought by one of the said collectors and gouernors, to such person or persons, as shall in the countie haue the gouernment of one of the houses of correction, in convenient apparell, mete for such a body to weare, he or she shall be receiued into such house of correction, there to bee straightly kept, as well in diet as in worke, and also shall be punished, as to the said persons having the gouernment of the said house of correction shalbe appointed. 18. Cl. 3. 31. Cl. 10.

Houses of cor-
rection.

23 **C** Within every Countie of this Realme, one, two, or more abiding houses or places convenient, in some market Towne, Corporate Towne, or other place or places, by Purchase, Lease, building or otherwise, by the order of the Iustices of Peace, or the more part of them in their Sessions, (of the inhabitantes within their seuerall authorities to be taxed, leuied, and gathered) shall be provided, and called the house or houses of correction, and also stocke and stoze, and implemēts shalbe also provided, for setting on worke and punishing not onely of those which by the collectors and gouernors of the poze for causes aforesaid to the said houses of correction shalbe brought, but also of such as shall be inhabiting in

in no Parish, or shalbe taken as rogues, or once punished as rogues, and by reason of the uncertaintie of their birth, or of their dwelling by y^e space of thre yeres, or for any other cause ought to be abiding and kept within the same county: which said house or houses of correction, with stocks, store and implements appointed for such houses, shalbe provided in every countie within one yere next after this present session of Parliament (if y^e same conveniently may bee) & if in the said time the same cannot conveniently bee, then within such time as to the Justices of peace or the more part of them, in their generall Sessions, in every Countie within their severall iurisdiction shall be thought meete, so as it errede not two yeres after taxation in such countie for that purpose made, or else the money levied to be repaid. 18. Cl. 3. 31. Cl. 10.

24 ¶ Every person refusing to pay, (or not paying such summe of money towarde the making, obtaining, and furnishing of the said Houses of correction, & buying of stocks, and for the reliefe of such persons as shall bee appointed to the same, which upon him shall bee by order aforesaid taxed, and at such time as by the same order shall bee appointed) shall for every default forfait double so much, as he shall be so taxed unto. 18. Cl. 3. 31. Cl. 10.

Refusing to pay toward the house of correction.

25 ¶ The Justices of peace in their generall sessions, shall and may appoint from time to time persons, which shalbe overseers of every such house of correction, which shall be called Censors, and Wardens of the houses of correction, and shall have the government and order of the same, according to such orders as by the said Justices of peace, or the more part of them, in their generall Sessions shall be prescribed, and shall also appoint others for the gathering of such money, as shall be taxed upon any person within their iurisdications, towarde the maintenance of the said houses, which shalbe called the collectors for the houses of correction, and if any person refuse to bee collector and gouvernour of the poore, or censor and warden, or collector, of, or for any the houses of correction, he shall forfeit. v. li. 18. Cl. 3. 31. Cl. 10.

Censors & wardens of houses of correction.

26 ¶ Every person appointed to be any Collector and Gouvernour of the poore, or Censor, or Warden, or Collector for any the houses of correction, shall as often as any of them shall bee called thereunto by the persons having the appointment of them, make a full accompt of all such summes of money or other things as any of them have gathered, or raised in commoditie within their severall collections, or charge and if any of them refuse to make such accompt, or neglect the same by the space of xij. dates, next after request thereto to him made, or shall not within one weeke after such accompt, pay the whole arrearages, which he upon such accompt shall be found in, to such person as hee shall bee appointed unto by them, before whom the said accompt shall bee taken, then he shall bee committed to any vsmall Gaole within the said Countie there

The accompt of Collectors Censors &c.

Poore people.

to remaine without baile or mainprise, till he hath made his accompt and payment of such arrerages, as hee hath received: vpon the making of which accompt, it shal be lawfull to such persons as haue the appointmēt of the said Censozs, Wardens, and Collectours &c. to allow vnto every of the said Collectours, Censozs, Wardens, &c. aswell such reasonable allowance, for such money as any of them haue disbursed in the execution of the said seuerall offices, as also such reasonable fees, and wages for their paines taken in that behalfe, as to them shall be thought conuenient. 18. *Eliz. 3. 31. Cl. 10.*

How the forfeitures shalbe employed.

27 *All forfeitures by force of this act being forfeited, by any person charged with any payment towards the stocke and stozes appointed for the reliefe of the poze, shall bee employed in the prouision of the stockes and stozes, in such places where the money (by the non payment whereof the forfeitures do grow) was payable. And the forfeitures of all persons being chosen to be collectours and gouernozs of the poze, shalbe employed in the prouision of the stockes and stozes, whereof they were chosen to be collectours and gouernozs. And all forfeitures made by any person charged towards the sustentation of any house of correction, & the forfeitures of all persons being, or being chosen to be censozs, and wardens, and collectours of any house of correction, shall bee employed in the maintenance and furtherance of the said houses of correction, all which said forf. shalbe leuied by distresse and sale of the goods of the offender, as nere as they can to the value forf. by warant from such persons as haue by reason of their seuerall iurisdiccions, the nomination of the said collectours, gouernours, censozs, and wardens, and the taxation of the said persons which shall commit the said forf. to any person or persons, by them appointed, to bee directed vpon certificat thereof made, and the party called thereunto. 18. *El. 3. 31. Cl. 10.**

Execution of these statutes within y berge

28 *It shall be lawfull for the Lord Steward of the Quēenes household, or to the commissioners within the berge, to haue and vse all such authoritty within the said berge, in execution of the actes provided 14. Cl. 5. and 18. Cl. 3. for the punishment of vagabondes, and the reliefe and setting on worke the poze, as any Justice of peace hath or may haue, or vse else where, within their seuerall shires, according to the limitation of the said statutes. 18. Cl. 3. 31. Cl. 10.*

The forf. vpon certayne penal stat. imployed to the vse of the poze.

29 *All and singular forfeitures in any wise limited to come to the Q. for any offence to be committed against any of those penall Statutes which her Maiestie by her proclamation from time to time for that purpose shall appoint, shall be recovered and imployed. The one moitie to the vse of such person as shall prosecute the same, by A. suite, or J. or by giuing of euidence vpon indictment and traueser of indictment: And the other moitie to and for the prouision and furnishing of the stockes for the poze, and of the houses of correction, in such maner, as by the Justices*
at

at the Sessions after Easter next ensuing after such reuerie shall be committed, any former penall statute, provision &c. notwithstanding. 18. Cl. 3. 1, Cl. 10. to continue to the end of the next Parliament now next ensuing. S. Iustice of Peace. 72. 73. 74. 75. 76.

1 That any man may giue land holden in Soeage, for the maintenance of houses of correction, or for any stockes of poore people. S. Mortmaine 10.

2 That a beggars child may be taken apprentice. S. Laborers. 3 1.

¶ Prerogatiue.

The Quenes Maestie by her prerogatiue Royall, shal haue the wardship of all their Landes, which holde of her in chiefe by Knights seruice, whereof the tenants were seised in their demesne, as of fee, the day of their death, of whom soeuer they holde by like seruice, so that they held of ancient time any land of the Q. as of her Crown, vntill the heire come into his lawfull age, except the fees of the Archbishop of Canterburie, the Bishop of Durham, betwene Tine and Tees, fees of Carles, and Barons of the Marches, of landes in the Marches, where the Quenes writtes do not lye, and whereof the said Archbishop, Bishop, Carles, and Barons haue had the wardship, though other wise they held of the Quene Prerog. Regis. 17. Ed. 2. 1.

2 Also she shall haue the mariage of an heire being within age, and in her custodie, whether the land of such heire haue of auncient time been holden of the Crowne, or that it came by reason of Escheat being in the Q. hands, or that she hath the mariage by reason of the ward of the Lord of such heire, without respect of the Priority of seoffment, although the heire held of others. 17. Ed. 2. 2.

3 Also shee shall haue primer seysin after the death of those which hold of her in chiefe, of all the landes and tenements, whereof they were seised in their demesne as of fee, of what age soeuer their heires be, by taking the issues of the same landes, vntill inquisition be made as the custome is, and that she hath received the homage of such heires. 17. Ed. 2. 3. Marleb. 52. H. 3. 16.

4 Also she shall assigne to widowes, after the death of their husbands that held of her in chiefe, the dower that to them belongeth, though the heire bee of full age, if the widowes will, And such Widowes before assignement of dower shall sweare, that they shal not marrie without the Quenes licence, whether their heire be of full age or not, and if they doe marry themselves without the Quens licence, then the Q. shal take into her hands by way of distresse, al such landes as they hold of her in dower vntill she be satisfied at her pleasure, so that the woman shal take nothing of the issues, for after such distresse they or their husbands must make fine to the Queene at her pleasure, which fine in auncient time, was one peres value of her Dower, vlesse shee founde the greater fauour. And also

Prerogatiue.

women that hold of the Queene in chiefe, of what age soener they bee, shall sweare that they shall not marie themselves without the Queenes licence, and if they doe, their landes shall be taken in like maner into the Queenes handes, vntil she be satisfied at her pleasure Mag. charta. 9. H. 3. 7. 17. Ed. 2. 4. And the master of the Queenes Wardes and Lucres by the aduice of the Atturney, receiuer generall, and Auditors of the same Court, or thre of them, haue authoritie to suruey all the M. widowes, & to common and conclude with euery of them, which shall marrie themselves without the Queenes licence, for their reasonable fines to be made to the Queens vse, and to take and aslesse the same by their discretion according to the foresaid statute of Prerog. Reg. 32. H. 8. 46.

Women tenants.

5 ¶ If a woman before the death of her auncestor that holdeth of the M. in chiefe to be married before she be marriageable, then the M. shall haue the wardship of the body of the same woman, vntil she bee of age able to consent, and then she may chose whether she will haue him to whom she was first married, or him that the Quene will offer her. 17. Ed. 2. 6.

Coparceners.

6 ¶ If an inheritance which is holden of the Quene in chiefe do descend to seuerall coparceners, then all the heires shall do homage to the M. and the same inheritance so holden of the Quene shall be deuided amongst these heires in such sort, that euery of them after that shall hold their part of the Quene. 17. Ed. 2. 5. Statut. Hibernie.

Alienation without licence.

7 ¶ None which holdeth of the Quene in Capite by knights seruice, may without the Quenes licence, alien the greater part of his landes in such sort, but that the residue may be sufficient, to doe his seruice, but this had not wont to bee intended of small members and parcels of the same landes. Magna charta. 9. H. 3. 32. 17. Ed. 2. 7.

Tenure by sergeanty.

8 ¶ If any which holdeth his landes of the Queen by sergeantie, doth alien the same without the Quenes licence, he shall pay therfore a reasonable fine. 17. Ed. 2. 7. but by the stat. 1. Ed. 3. 12. the same lands shall not be forf. to the Quene by such alienation. And by the stat. 9. H. 3. 31. & 1. Ed. 3. 12. & 1. Ed. 6. 4. He that holdeth of the Quene, as of any honors, castels, manors, lands, &c. being in her hands, by reason of any new escheat to the crowne, or by attainder, conviction outlawry, or by dissolution of any religious house, or by purchase, doth not hold of her Grace in Capite, neither shall hee doe other seruices, then if the same manors &c. were in other mens hands.

Lapse.

9 ¶ If other men do present to Churches bring voide, the aduowsons whereof belong to the Quene, whereupon debate riseth betwene the M. and the others. If the M. by a ward of the court, doe recouer her presentation, though it be after the lapse of five moneths from the time of the avoidance, no time shall preiudice her, so that she present within the space of vi. moneths. 17. Ed. 2. 8.

Forfeits.

10 ¶ The Quene shall haue the custodie of the landes of naturall soles,

soles, & take the profit thereof, without any wast or destruction. And shall find to them thinges necessarie, of whose fees sooner the same lands be, & after the death of the same soles, she shall render the same landes to the right heires, so that such Deed shall not alien, nor their heires be disinherited. 17. Ed. 2. 9. The master of the Quenes wardes and liveryes, by the aduice of the Attorney, Receiuer generall, and Auditors of the same court, or 3. of them, hath authoritie to suruey, gouerne, and order al idiots and naturall soles, and their manors, lands, tenements, and other hereditaments, being in the Quenes handes, in the handes of other persons to the vse of any of them, and to let and set the manors, landes, &c. to the Quenes vse for the time of her interest, for such rent and fine, as by their discretion shalbe thought good, the finding and keeping of the said persons, their wiues and children, and the reparations of their houses and lands alwaies to be considered. 32. H. 8. 46.

11 Also the Q. shall prouide that when any that befoze time hath had his memorie and vnderstanding, shall become bestraght, and to faile of his wit, (as certaine doe per lucida interualla) that their landes and tenements shall be safely kept, without wast or destruction, and that they and their family shal liue and be conveniently maintained with the profits thereof, and that the residue besides their maintenance, shalbe kept to their vse, and be deliuered vnto them when they come to their perfect memory, so that such landes shall not be leuied, neither shall the Q. take any thing to her owne vse, and if the partie die in such estate, then the residue shall bee distributed for his soule by the aduice of the Ordinarie. 17. Ed. 2. 10.

Lunaticke.

12 The Q. shal haue the wreck of Sea, through y realme: Whales and Sturgions, taken in the sea, or elsewhere within the realme, except in certaine priuiledge places. 17. Ed. 2. 11.

Crecke of the sea.

13 When any person which holdeth of the Queen in Capite dieth, and his heire doth enter into the land that his auncester held of the Queen the day of his death, befoze he hath done homage to her grace, and receiued of her seisin, he shall thereby gaine no freehold, and if he die seised during that time, his wife shall not be endowed of the same land: but this is not meant of Socage and small tenures. 17. Ed. 2. 13.

Intrusion.

14 The Queene shall haue Escheates of the Landes of Archebishops, and Bishops freeholders, when such tenants be attainted of felonie, committed in time of vacation, whilest their temporalities were in the Quenes handes, to bestow in what sort it shall please her: Saving to such Prelates, the service that to them is due and accustomed. 17. Ed. 2. 14.

Escheats in time of vacatio

15 When the Queene giueth or graunteth to any person a manor, or Lande with the apurtenances, without thes make expresse mention in her deede or writing of Knightes fee, aduowsons of Churches, and

Knightes fees,
Aduowsons.
Dowers.

Prerogative.

dowers, when they fall, belonging to such manors, or landes, then the Q. referueth to her selfe such fees, advowsons, and dowers, though amongst other persons there be no such reservation. 17. Ed. 2. 15.

Felons goods.

16 **T**he Queene shall haue the goods of all felons which bee condemned, and which be fugitive wheresoever they be found, and if they haue any freehold, it shall forthwith be seised into the Queenes hands, and the Q. shall haue the profits thereof by the space of a yere and a day, and the land shalbe wasted and destroyed in the houses, woodes, and gardenes, and in all things belonging to the same (except men of certain places privileged.) And after the Q. hath had the yere, day, and wast, the land shall be restored to the chiefe Lord of the same fee, unlesse that before he redeeme the same yere, day, and wast of the Queene, by payment of a fine. But there is a custome in the county of Gloucester, that after a yere and a day, the lands and tenements of felons in that shire, shal reuert and be restored to the next heire, to whom they ought to haue descended, if the felonie had not been committed. And in Kent, in Gauekind, the father to the Bough, the sonne to the Plough, there all the heires males shall diuide their inheritance, and likewise women. But women shall not make partition with men. And a woman after the death of her husband shall be endowed of the moitie. And if she commit fornication in her widowhood, or take any husband, she shall lose her dower. Prærog. Regis. Anno. 17. Ed. 2.

Annum, diem, & vastum.

Gloucester.

Gauelkind.

None may pardon felons, or make Justices but the Queene.

17 **N**o person hath authoritie to pardon any treasons, murders, manslaughters, or felonies, or any accessories to the same, or any outlawries for any such offences committed &c. or to make any Justices of Oyre, Justices of assise, Justices of peace, or Justices of gaole deliuerie, but only the Queens Maestie, her heirs and successors, Kings, & Queens of this realme, which haue the same whole and sole power vntied to the Emperiall Crowne of this realme. And all such Justices, Officers &c. shalbe made by letters patents vnder the Queenes great seale in her name, and by the authoritie of her, and her heires, &c. in al Counties within any of her dominions. 27. H. 8. 25.

All writs made in the Q. name.

18 **A**ll originall and iudiciall writs, and all indiments of treason, felony, and trespassse, & all maner of proces to be made vpon the same in euerie Countie palantine, and other liberties within England, Wales, or the Marches thereof, shall be made onely in the name of the Queene, and her heirs, Kings or Queens of England. And euerie person hauing such Countie palantine or other libertie to make such originall, iudicialles, or other proces of Justice, shall make the Telle in the said writtes, in the name of the same person or persons that haue such Countie palantine, or liberties. 27. H. 8. 25.

All writs or indiments contra pacem.

19 **E**uery writ and indiment that shal be made within any countie palantine or libertie, whereby it shall be supposed any thing to be done against

against the Quenes peace, shall be made and supposed to be done against the Quenes peace her heires and successors, and not against the peace of any other person, &c. 27. H. 8. 25.

20 The Queene, her heires and successors, Kinges or Quenes of this realme, shall have all fines, issues, amerciaments, and forfeitures, that shall be lost, forfeited, or assessed, by or upon any stewards, bailiffs, or other Officers, of any Fraunchise or Liberties, for non execution, or misexecution, or insufficient returns of such writtes, warrants, precepts, or other proces which to any of them, or to any their deputies shall be directed, or for any contempt, or other misdemeanour concerning their offices, in and for the due execution or administration of Justice, any graunt, allowance, or other thing &c. notwithstanding. 27. H. 8. 25.

Fines and forfeitures of bailiffs and stewards.

¶ Preacher, and preachings.

If any person of his owne authoritie, shall willingly, and of purpose by open wordes or dede, maliciously, or contemptuously disturbe, or by any other vnlawfull wayes disquiete or misuse any Preacher allowed to Preach by the Queene, or by any Archebishoppe, or Bishoppe of this Realme, or by any other lawfull Ordinarie, or by any of the Universities of Oxeforde and Cambridge, or otherwise lawfully authorized or charged by reason of his cure, benefice, or other spirituall promotion or charge, in his open Sermon, Preaching, or collation, that hee shall preach or pronounce in any Church, Chappel, or Churchyard, or in any other place used or appointed: then everie such offender, his aidors, procurers, or abettors, immediatly after any of the said misdemeanors committed, or at any time after, shall be arrested by any Constable or Churchwarden of the said parish, towne, or place, where the said offence shall be committed, or by any other officer, or by any other person then being present at the time of the said offence, and caried to any Justice of Peace within the said Shire, or within any Cittie, Borough, Libertie, or Towne corporate, wherein Justices of peace be, where the said offence shall be so committed, and the said Justices upon due accusations thereupon made by the Apprehender, or other person of the offender, forthwith shall commit him to safe keeping, and within five daies immediatly after the said accusation so made, the said Justice with one other Justice of peace within the Shire, Cittie, Borough, libertie, or towne corporate, shall diligently examine the offence aforesaid, and if the said two Justices shall upon their examination finde the person so accused guiltie of any of the said offences, whereof hee shall be accused, and that by two sufficient witnesses, or by his confession, then they shall commit him to the gaole of the said Shire, cittie, borough &c. where the offence was committed, there to remaine without baile or mainprize by the space of three moneths then next ensuing, and further to the next quarter sessions &c. at which Sessions, the said person upon his reconciliation and repentance

Disturbance of a preacher in the time of his Sermon.

Premunire, Prouision.

before the laide Justices at the laide Sessions, shall bee deliuered out of prison vpon sufficient suertie of his good abearing and behauiour, to be then and there taken by the said Justices for one whole yeare then next ensuing, as by the discretion of the said Justices then and there being, or of the moze part of them shalbe thought couenient. And if the said person will not bee reconciled and repent at the laide quarter Sessions, then hee shall be further committed to the said gaole by the said Justices, there to remaine without baile or mainprise, vntill he shall bee reconciled and bee penitent &c. 1. P. 3.

Rescuing the
offendoꝝ, or dis-
turbing the
arrest.

2. ¶ If any person or persons of their owne authoritie, willingly & unlawfully do rescue any offendoꝝ so apprehended, or will disturbe the said offendoꝝ to be apprehended, then euerie one of the said rescuers or disturbers shall suffer like imprisonment as is aforesaid, and further shall pay for euerie of his offences v. li. to the Queene. 1. P. 3.

The punish-
ment of þe town
where the offe-
der doth escape.

3. ¶ If any of the offendoꝝ aforesaid bee not apprehended in time couenient, but do escape, then the said escape shalbe lawfully presented before the Justices of peace at the next quarter Sessions &c. and the Inhabitants of the parish where the said escape was suffered, shall for. to the Queene &c. for euery such offence v. li. to be leuied and taken as other like amerciements and fines been leuied vpon any village, hundred, or towne for the escape of any murtherer, or other felon, for not making pursue vpon hue and crie, according to the statute of Winchester, and the statute of 3. H. 7. 1. 1. P. 3.

Punishment
by the ecclesi-
astical Lawes.

4. ¶ This act shal not extend to take away the authoritie and punishment of the Ecclesiasticall lawes standing in force for the punishment of any the offences aforesaid. But they shalbe vied in euery thing as though this act had neuer been made. 1. P. 3.

But once puni-
shed for one of-
fence.

5. ¶ Whosoever person offending in the premisses, shall for any the offences afoze recited, receiue punishment of the Ordinarie, hauing testimoniall thereof vnder the said ordinaris seale, shall not for the same offence estiothes bee conuicted before the Justice, Et e conuerso. 1. P. 1. Par. 3. S. Arrestes. 1.

Premunire, Prouision.

Premunire by
reason of suit in
a forein realme,
or in impea-
ching iudge-
ments given in
þe Court.

¶ If any of the Quenes people doe draw any man out of the Realme in suit for any cause, the cognisance whereof pertaineth to the Quens Courte, or for any thinges whereof there is iudgement given in the Quenes court, or doe sue in any other court to defeate or impeach the iudgements given in the Quenes court, they shall haue day containing the space of two moneths by warning to bee given to them, in the place where the possessions bee, which be in debate, or somewhere else, where they haue Landes or other possessions, by the Sherife or other of the Quenes Officers, to appeare before the Queene and her Counsell, or in her Chauncerie, or before her Justices of the one Bench, or

the

the other, or before the other of the Quenes Justices which shall bee thereunto appointed, to answer in their proper persons to the Quene of their contempt in this case committed, and if they come not at the said day in their owne proper persons to answer and stand to the law, they, their procuratours, attorneis, executors, notaries, and mainteinoers, shall from the same day be put out of the Quenes protection, and their lands, goods, and cattels shalbe forfeited to the Q. and their bodies wheresoever they be found, shalbe punished at the Quenes pleasure, and a writ shal be awarded to apprehend their bodies, and to seise their landes, goods, and possessions into the Quenes handes. And if it bee returned that they cannot be found, they shall be put in exigent and outlawed. But at whatsoeuer time they will come before they be outlawed, and wil render themselves to the Quenes prison, to be iustified by the law, and to receiue that which the Quenes court in this behalfe shal award, they shall be therunto receiued, yet shall the forfeiture of the lands, goods, and cattels remaine in his force, if they do not yeld themselves within the two moneths as is aforesaid. 27. Ed. 3. 1.

2. ¶ If any person shall take within England, procuracie, letter of Attourney, serme, or other administration, by indenture, or in other manner, of any person of the world, of any benefice within the said realme, but onely of the Q. liege people of the same realme, without the special grace and expresse licence of the Q. by the aduice of her counsell, or of any of the said liege people, or other that may be found in the said realme shal conuey by vertue of such procuracie, serme or administration, gold, silver, or other treasure, or commoditie out of the said realme by letter of exchange by merchandise, or in any other manner whatsoever, to the profite of any said Aliens, without the like licence, they shall incurre the punishment contained in the foresaid statute of 27. Ed. 3. And by the same processe comprised in the said statute, shall be warded in their benefices, or their other possessions within the realme, and if they be out of the realme, and haue no benefices, nor possessions within the realme where they may be warded, a writ shall be directed out of the Chauncery to the Sherifes of London, or to the Sherife of the countie where they were borne, at the Q. suite returnable into the one Bench or the other, by the which writ commandement shalbe given, that proclamation shall be openly made, that they shalbe before the Justices in the Bench where the writ is returnable at a certaine day comprised in the said writ, containing the space of halfe a pere, to make answer to the matters comprised in the said writ, and this writ being returned, the Justices shall procede against them in forme aforesaid. 3. R. 2. 3. 7. R. 2. 12.

Taking benefices of Aliens.

Conueying of commodities to Aliens.

3. ¶ No Bishop, or other Ecclesiasticall person through the realme, shall meddle by the way of Sequestration, or in any other manner with the fruites of such benefices, given to such Aliens, or to the profite of

No sequestration of Aliens benefices.

Premunire, Prouision.

*No alien that
take a benefice
without the
Q. licence.*

of Aliens 3. R. 2. 3. 7. R. 2. 12. **¶** If any Alien doth purchase any benefice of the Church dignitie, or other thing, and in his owne proper person doth take possession thereof, or doth occupie it within the realme, whether it be to his owne vse or to y^e vse of any other, without the Queenes special licence, he shalbe comprised within the same statute of 3. R. 2. and moreover he shall in all pointes incurre the paines and forfeitures comprised in the statute 25. Ed. 3. 22. (prouided against those which purchase in the Court of Rome prouisions, to haue abbeyes and priories in England) viz. he shalbe out of the Queens protection, and euerie man may vse him as an Enemie of the Queene and the realme. And whosoever offendeth against him in body, goods or possessions, shall be excused against al people, & shall neuer be impeached or grieved for the same, at any mans suit. 7. R. 2. 12. Sed S. 6. & quare.

Quare.

*Bulles or in-
struments fro
Rome.*

¶ If any persons do purchase, or pursue, or cause to be purchased, or pursued in the Court of Rome, or elsewhere, any translations of Bishops, proces, sentence of excommunication, Bulles, Instruments, or other thinges whatsoever, which do touch the Queen or which be against her, her crowne and Regaltie, or her Realme, they which bring the same within the realme, or do receiue them, or make thereof notification, or other execution whatsoever, within the realme or without, their notaries, procurators, mainteinors, abbetors, fauourers, and counsellors shalbe put out of the Queenes protection, and their landes and tenements, goods and cattels shalbe forfeited to the Q. And they shall bee attached by their bodies (if they may be found) and brought before the Q. and her counsell, to answer in the foresaid causes, or els proces shalbe directed against the by Premunire facias 16. R. 2. 5. But to obtaine from the Bishoppe or See of Rome any maner of Bull, writing or Instrument written or printed, conteining any thing, matter or cause whatsoever, or to publish, or by any meanes to put in vse any such Bull, writing, or Instrument, it shalbe adiudged to the offenders, their procurators, abbetors, and counsellors to the fact, and committing of such offence, high treason. 13. El. 2. Rome 2.

Treason.

Quare.

¶ By which statute of 13. El. and of certaine statutes made 23. H. 8. 24. H. 8. 25. H. 8. 1. El. 5. El. the force of diuers other old statutes prouided for the punishment of offences by Prouision and premunire seeme to bee taken away, sauing such which be in other titles of this Booke expresse, for that the offences which in the said olde Satutes were ordeined to be punished in seuerall manners by prouision and Premunire, be now made high treason, or other punishment appointed for them by the said new statute, or else the vse of them is wholly extinguished by the dissolution of Monasteries, Abbeyes, Colledges, free Chappels &c. which were suppressed by the Statute of 27. H. 8. 31. H. 8. 13. 1. Ed. 6. 14. tamen quare.

6 ¶ It shall not be lawfull to any person to flee any person in any manner attainted in or vpon any Premunire by pretence, reason, or authoritie of any iudgement giuen vpon the same, or of any wordes or thinges contained in any statute or law of prouision and premunire, sauing alwaies the due execution of euery person attainted for any offence whereupon iudgement of death ought to be, and sauing euery such paine of death, or other hurt or punishment as heretofore might without danger of law bee done vpon any person that shall sende or bring into any of the *¶* dominions, or within the same shal execute any Summons, sentence, excommunication, or other proces against any person from the Bishop or See of Rome, or the authoritie of the same. S. 5. *¶* Cl. 1.

No man that
flee him which
is attainted in
premunire.

1 Premunire for refusing to take the oth for the Queene's supream government ouer all estates. S. Queene 6.

2 Premunire by declaring by booke, worke, or scroule who ought to be heire or successor to the Queene, being once conuicted of the said offence before. S. Queene 21.

3 Premunire by aiding or comforting an offender which shal affirme that the Q. is an hereticke, scismaticke, infidell, or vsurper &c. S. Queene. 24.

4 For giuing reliefe to him which shall commit the offence of Premunire. S. Queene. 25.

5 Premunire for maintaining or setting forth the authoritie of the Bishop or See of Rome. S. Rome 1.

6 Premunire by aiding, comforting, or maintaining any offender after the offence, to the intent to set forth or allow the power of the Bishop or See of Rome. S. Rome 3.

7 Premunire by bringing, deliuering, or receiuing, & vsing any Agnus Dei, crosses, pictures, beads, or such like from Rome. S. Rome 5.

8 Premunire for not electing, nor certifying, or not admitting any Bishop elected. S. Bishop 1.

9 Premunire in a Iustice of peace, for not certifying the name of him which bringeth any Agnus dei, crosses, or pictures. S. Iustice of peace. 99.

10 Prouision in spirituall persons &c, within the Archdeaconry of Richmond in Yorkshire, for taking more for probate of Testaments then is lawfull. S. Probate of testaments, 14.

11 Premunire for suing of Appeales, or for refusing to obey all thinges comprised in the statute prouided for suing of them. S. Appeales 7.

12 That Brokers and driuers of bargaines contrary to the statute of 37. H. 8. prouided against vsurie, shall be punished as Counsellors Atturneys, or Aduocates in case of Premunire. S. Vsurie 7.

13 Premunire for molesting any person for any the landes or posses-

Prison, Prisoners, Gaole, Gaolers.

possessions of any Abbey, Priorie, Colledge, Chauntrie &c. S. Monasteries 31.

14 Premunire for deliuering or sending any reliefe to a Iesuit, Priest, or other remaining in any Colledge of Iesuits. S. Iesuits 5.

¶ Prison, Prisoners, Gaoles, Gaolers.

Newe Gaoles
to be made in
certaine Shires

Taring of
Shires.

Collectors.

Surueyors.

The Iustices of Peace of euerie of the Shires of Essex, Suffolke, Dorset, Sussex, Surrey, Nottingham, Gloucester, Bedford, and Buckingham, Huntingt. Wilt. Kent, Warwike, Stafford, Dron. Bark. Leicester, Rutland, Lincolne, Hereford, Southampton, Salop, Norfolk, Cornwall, Derby, and Cambridge, and of the Countie of Denbroke, Glamorgan, Cardigan, Radnor, and Mountgomerie in Wales, or the most part of them resident within euerie of the said countie, within the limits of their commission, haue full power to appoint the towne & places, wherein they shall thinke most necessarie to haue a common Gaole newly edified. And to call before them at times and places by them to be appointed, all the high Constables, Tythingmen, or Borough holders of euerie hundred, Tith, or wapentake, within the shire, wherof they bee Iustices, and in the presence, and by the assent of them, or the most part of them, shall agree vpon such convenient summes of money, as shall bee thought good to suffice for the making and perfecte finishing of a newe Gaole in the same shire. And thereupon shall forthwith by their assentes and discretion, take euerie such person as then shall bee resident in the same shire, as well within Liberties as without, having Lands, tenements, rentes, or annuities, of estate of inheritance, or for terme of life, to the cleere yerly value of xl. s. or above, or being worth in moueable substance the cleere value of twentie pound, or above, to such reasonable summes of money, as shall be thought convenient by their discretions, for the full building and furnishing of the said common Gaole. And after such Taxation, to appoint such number of Collectours for the leuying thereof, as shall seeme best by their discretions. And the said Collectours, and euerie of them haue authoritie to distraine euerie such person as shall be taxed by the saide Iustices, in their Landes or goodes, as well within Liberties as without, and to sell the distresses by them taken, by the appricement of foure honest persons, for the payment of the said summes, if the person taxed refuse to pay the same within ten dayes next after such distresse taken: taking vpon euery such sale but onely the money taxed with reasonable costes for taking of the distresse, and the ouerplus shalbe deliuered to the owner. And also the said Iustices, or the most part of them, haue authority to appoint two honest persons inhabited in the said shire, which shall suruey and prouide that the said Gaoles shall bee surely and substantially made and finished, to whose handes the said Collectours shall pay the money by them collected, by the appointment of the said Iustices,

or sixe of them at the least. And the said Justices haue authorizty to limit to euerye of the said Collectors, and two persons, reasonable summes of money for their labours. And all furtherers and felons shall be imprisoned in the said common gaoles, and not elsewhere. 23. H. 8. 2. 5. Cl. 24. 13. Cl. 25.

Imp. prisonmēt.
of offenders.

The remedy
where Collectors or
sheriffs refuse to
accompt.

2. ¶ Aswel euery of the said collectors, as euery of the said two persons, their heirs, executors, and administrators, shall declare a true accompt to the said Justices, or sixe of them at the least, when they shall be required. And if any of them refuse to make accompt, or to pay and employ such money as shall come to their handes in such wise as shall be limited by the said Justices, or sixe of them, then the same Justices or sixe of them haue authorizty, (if y^e said offenders be present) to commit them to ward, and if they be absent, to make attachments vnder the seales against euery of them, into euery shire and part of this realme, as well within liberties as without, to be returnable befoze the said Justices at such day & places, as by them shall be appointed, and to be directed to the Sherife of the shire. wherein the partie or parties shall be resiant, if it be within the Bailiwike of the sherife. And if it bee without, then to be directed to the Bailife of the libertie, and euerye Sherife and Bailife of libertie, to whose hands such attachments shall come, shall attach the said offenders, and personally bring them befoze the said Justices according to the tenor of the attachement, or else declare by his returne some reasonable cause why he cannot so doe, vpon paine for euery default by any of them committed, to forfait to the M. C. s. And vpon the apparance of euery such person so attached, the said Justices, or sixe of them haue potwer to commit them to prison, there to remaine till they haue truly accompted, and paid all such summes of money as came to their hands by the assignmēt of the said Justices by authoritie of this acte. And in case there happen to remaine any ouerplus of money after the gaoles fully finished, then the same shall be bestowed in almes to the Prisoners committed to the said gaole, by the discretions of the said Justices or the moze part of them. And severall commissions vnder the great seale, with this Acte affirmed, shall be directed to the Justices of the shires befoze named, 23. H. 8. 2. 5. Cl. 24. 13. Cl. 25.

3. ¶ But this act doth not charge any person inhabited within any Cities or townes, or Boroughes corporate, which haue common gaoles for Felons taken in the same, and haue Justices of peace for deliuerance of such felons, for any taxes or lottes to the making of the said common gaole of any of the shires aboue named, but euery such inhabitant of any of the counties first befoze specified be charged to beare any costes for the repairing or new making of any Gaole, where any other person, body politique or corporate ought to build or repaire the same. 23. H. 8. 2. 5. Cl. 24. 13. Cl. 25.

The inhabi-
tants in Cities
or townes ha-
ving Gaoles.

The inhabi-
tants of y^e shire
shall not be bur-
dened where a-
ny person is
specially char-
ged.

Prison, Prisoners, Gaole, Gaolers.

Gaoles repai-
red at the
costes.

4 **E**uery Sherife shalbe allowed vpon his accompt in the Exchequer, for all such money as he shall expend about the necessarie reparations of the said Gaoles, after they be once made, as neede shall require, and the barons of the Exchequer haue power to allow euery Sherife in euery such case by their discretions, without any warrant to be shewed from the Quene. 23. H. 8. 2. 5. Cl. 24. 13. Cl. 25.

The Sherif that
haue the charge
of euery gaole.

5 **T**he Sherifes of euery county shall haue the custodie, rule, keeping and charge of the Quenes common Gaoles of the same counties, and of the prisoners therein, and also of the said new Gaoles, and shall appoint such Gaolers as they will answer for. 14. Ed. 3. 10. 19. H. 7. 10. 23. H. 8. 2.

Particular per-
sons hauing in-
terest in gaoles

6 **B**ut this act shall not be preiudiciall to any persons hauing any common Gaoles by inheritance, for terme of life, or for yeares, but that they shall enioy them and the fees, and commodities of the same, as they might lawfully haue had if this Act had neuer beene made. 24. H. 8. 2. 5. Cl. 24. to continue from the ende of the Parliament holden 5. Cl. for xx. yerres. 13. Cl. 25.

7 **N**one shalbe imprisoned by any Iustices of peace, but onely in the common Gaole, saving to the Lordes and others which haue gaoles, their franchise in this case. 5. H. 4. 10.

Enlarging one
imprisoned by
the Quenes
comandement.

8 **I**f any person shal imagine, conspire inuent, or goe about unlawfully, and maliciously to set at libertie any person committed to prison, garde, or custodie by the Quenes speciall commandement, for any treason, or suspicion of treason concerning her owne person before any indictment of any such person sought to bee set at large, and the same conspiracies or inuentions shall by words, writing or other matter set forth, or declare, then the offendour shall incurre the forfeiture of misprision of treason. And if the prisoner be indicted of the foresaid treason, then the offendour shall be adiudged a felon. And if the prisoner be attainted or convicted of the treason aforesaid, then the offendour shall be adiudged a high traitor. 14. Cl. 2. to continue during the Quenes life.

A prisoner by
Dures become
meth an appro-
uer.

9 **I**f any keeper of prison, or vnder keeper, shall by too great dures of imprisonment and paine, cause any prisoner which he hath in his custodie, to become an approver against his will, and is thereof attainted, he shall be adiudged a felon. 14. Ed. 3. 10.

A certificate of
euery prison-
ers name at
the gaole deli-
uery.

10 **E**uery Sherife, Bailife of franchise, and euery other person hauing authorite of keeping of Gaoles, or of prisoners, for felonie, shall certify the names of euery prisoner in their keeping and of euery prisoner to them committed for any such case at the next generall Gaole deliuerie in euery Countie or franchise where any such Gaole is or shall bee, there to be halendred before the Iustices of the deliuerie of the same Gaole, whersby they may as well for the Quene as for the partie, proceede to make deliuerie of such prisoners according to the Lawes, vpon paine

paine to forsaite to the Queene for every default there recorded a hundred shillings. 3. H. 7. 3.

1 That no Habeas corpus shalbe granted to remoue any prisoner out of any gaole, except it be signed with a Iustices hand of the same court. S. Remouer. 1.

2 That the Iustices of the Kinges Bench may sende downe prisoners, and their indictments to be tried in the countrey. S. Remouer 2.

3 That a prisoners goods shall not be seised by any officer, vntill he be attainted. S. Sherifes. 26.

4 That it is felony for any person to breake prison. S. Felony 15.

5 That Iustices of Peace may taxe euerie parish for the reliefe of prisoners. S. Poore. 18.

6 Where the keeper of a prison shalbe charged for not receiuing or letting goe a prisoner offered or committed to his custodie. S. Escape 1. Statutes &c 1. Phisition 4.

¶ Probate of testaments, and administration.

Nothing shall bee demaunded, or taken by any Bishop, Ordinarie, Archdeacon, Chaunceloz, Commislarie, Official, nor any other person hauing authoritie to take probacion, insinuation or approbation of testaments, by himselfe, nor by his Registers, Scribes, Praiers, Summoners, Apparatoz, or by any other of his ministers for the probacion, &c. of any testament, or for writing, sealing, prayling, registering fines, making of inventories, and giuing of acquittances, or for any other cause concerning the same, where the goods of the testator do not amount cleerly aboue the value of C. s. sterling, except onely to the Scribe, for writing of the probat of testament of him deceased &c. vi. d. & for the commission of ministracion of goods of any man deceased intestate, not being aboue the value of C. s. vi. d. And neuerthelesse the said Bishoppe, Ordinarie, or other person, shall not refuse to approue any such Testament, beeing lawfully tendzed to him to bee prooued, whereof the goods of the Testator amount not aboue C. s. so that the said Testament be exhibited to him in writing with ware thereunto affixed ready to be sealed, and that the same Testament be lawfully proued before the same Ordinarie (before the sealing) to be the true, whole and last Testament of the same Testator, in such forme as hath been commonly accustomed in that behalfe. 21. H. 8. 5.

Probate of testaments where the goods exceed not C. s.

Commission of administration.

2 ¶ When the goods of the Testator do amount aboue the cleere value of C. s. and doe not excede the summe of xl. li. sterling, then no Bishop, Ordinarie, or other person hauing authoritie to take probacion &c. of any testament by himselfe, or any his ministers, for the probacion of any testament, or for the registering, sealing, writing, prayling, making of indentures, giuing of acquittances, fines, or other any thing concerning the same, shall take or cause to be taken of any person but onely iij. s. vi. d.

Probate of testaments where the goods exceed not xl. li.

and

¶ not above, whereof to be to the said ordinarie, for him and his ministers y. s. vi. d. and not above, and xj. d. residue to the scribe for the registering of the same. 21. H. 8. 5.

Probate where the goods exceede xl. li.

3 ¶ Where the goods of the testator do amount above the cleere value of xl. li. sterling, then the ordinarie by himselfe, nor any of his ministers, for the probation of any testament, or for the registering &c. or any thing concerning the same probate, shall take of any person but onely v. s. & not above, whereof to be to the said Ordinarie for him and his ministers y. s. vi. d. and not above, and y. s. vi. d. residue to be to the scribe for registering of the same, or else the scribe to be at his libertie to refuse the y. s. vi. d. and to haue for writing of euery ten lines of the same testament (whereof euery line to containe in length x. ynches) l. d. 21. H. 8. 5.

Testaments shall be sealed & deliuered in time convenient

4 ¶ And euery such Bishop, Ordinarie, or other person hauing authoritie to take the probation of any testament, their registers, scribes, and ministers shall approue, insinuat, seale, and register the said testaments, and deliuer the same sealed with the seale of their office, to the executors or executores named in such testaments for the summes abovesaid, & in manner and forme abouerehearsed, with conuenient speede without any frustratoise delay. 21. H. 8. 5.

Administratio

5 ¶ If any person die intestator, or the executors named in any such testaments refuse to proue the said testament, then the Ordinary or other person or persons hauing authoritie to take probate of testaments shall graunt the administration of the goods of the testator, or person deceased, to the widow of the same person, or to the next of his kinne, or to both, as by the discretion of the same Ordinarie shall be thought good, taking suerty of him or them to whom shall be made such commission, for true administration of the goods, cattels, & debtes, which he or they shall be so authorized to minister. 21. H. 8. 5.

Administratio where diuers do request it.

6 ¶ And in case where diuers persons claime the administration as next of kinne, which be equall in degree of kindred to the Testator or person deceased, and where any person onely desireth the administration as next of kin, where in deed diuers persons be in equalitie of kindred: then the Ordinarie shall bee at his libertie to accept any one, or moe, making request where diuers do require the administration, or where but one or moe of them and not all being in equality of degree do make request, then the Ordinarie shall admit the widow, and him or them only making request, or any one of them at his pleasure, taking nothing for the same vnlesse the goods of the person so deceased, amount above p. value or summe of C. s. And in case the goods amount above a hundred shillings and not above xl. li. then he and his officers shall take only two shillings six pence and not above. 21. H. 8. 5.

How much the Ordinarie shall take for granting administration.

Inuentory.

7 ¶ The Executor and Executors named by the Testator, or such other person or persons, to whom such administration shall bee committed

mitted, where any person dyeth intestate, or by way of intestate, taking to him or them two such persons at the least, to whome the said person so dying was indebted, or made by any legacie, and upon their refusall or absence, two honest personnes being next of kinne to the person so dying, and in their default or absence, two other honest personnes, and in their presence, and by their discretions shall make, or cause to be made a true and perfect Inuentorie of all the goods, cattels, wares, marchandises, as well moueable as not moueable whatsoeuer, that were of the said person so deceased, and the same shall cause to be indented, whereof the one part shall be by the said exrecutour or exrecutours, administratour or administratours, vpon his or their othe or othes, to bee taken befoze the said Bishoppes, Ordinaries, their Officials, or Commissaries, or other persons hauing power to take probate of Testaments vpon the holy Euangelistes, to be good and true, and the same one part indented, shall present and deliuer into the keeping of the said Bishoppe, Ordinarie &c. and the other to remaine with the said exrecutoz or exrecutours, administratoz or administratozs &c. which Inuentorie so to him tendered, no Bishop, Ordinarie &c. shall refuse to take, vpon the paine hereafter contained. 21. H. 8. 5.

8 ¶ If the person deceased wil by his testament any lands, tenements, or hereditaments to be sold, the money thereof comming, or the profits of the said lands for any time to be taken, shall not be accompted as any of the goods or cattels of the said person so deceased. 21. H. 8. 5.

Deuile of
lands to be
sold.

9 ¶ And the same Ordinarie &c. vpon the deliuey of the Seale and signe of the testatoz, shall cause the same seale to be defaced, and thereupon incontinent redeliuer the same seale vnto the said exrecutoz or exrecutours, without claime or challenge therevnto to be. 21. H. 8. 5.

The testatoz's
seale defaced.

10 ¶ And in case any person at any time require a copy of the said testament so proued, or Inuentorie so made, then the said Ordinarie &c. or his ministers shall without any frustratoz delay, deliuer or cause to be deliuered a true copy of the same, vnto the said person demanding the same, taking for the search, and for the making thereof, but only such fee, as is befoze rehearsed for the Registring of the said testament, or else the scribe or register to be at his libertie, to demaund, haue, & take for euery r. lines thereof being of the porportion befoze rehearsed. i. d. 21. H. 8. 5.

Copies of te-
staments or
Inuentories.

11 ¶ But where any persons hauing authoritie to take probate of testaments, haue vsed to take lesse summes of money then is aboue said for the probate of testaments, or commissions of administrations, or other cause concerning the same, they shall take such summe for the same, as they befoze the making of this act, haue vsed to take & not aboue. 21. H. 8. 5.

Custom to
take lesse mony
for probates.

12 ¶ Euery Bishop, Ordinary, Archdeacon, Chauncelloz, Commissarie, Officiall, and other person or persons hauing authoritie to take probate of testaments, their Registers, Scribes, Writters, Sommoners,

The forfeiture
for taking more
then dutie.

Proclamation.

Apparators, & all other their ministers that shall do or attempt, or cause to be done or attempted against this act in any thing, shall for. for every time so offending to the p. grieved so much money as he shall take contrary to this act. And over that shall for. to the D. and the p. grieved v. li. to be rec. by A. J. &c. wherein no W. C. p. &c. And every of the same Wh. shops, and other persons which shall incurre the danger of such penaltie, shall be charged only for himselfe, and none of them shall be chargeable to the penaltie for others offences. 21. H. 8. 5.

Executors co.
willed to p. oue
p. will, or being
in Inuentiones.

13. ¶ But this act is not prejudicial to any Ordinarie or other person, having authoritie to take probate of testaments, but every of them shall and may conuent before them every person made executor of any testament, to the intent to p. oue or refuse the same, and to bring in Inuentiones, and to do every other thing concerning the same, as they might doe before the making of this act, so that alwayes any such Ordinarie &c. or other ministers aforesaid, shall not take for the same above the fees limited by this act, ne in any wise attempt any thing contrary to any part of the same act. 28. H. 8. 5.

Archdeaconry
of Richmond.

14. ¶ If spirituall person or others, having any benefice or other spirituall promotion within the Archdeaconrie of Richmond in Yorkshire, shall aske, leuy, demand, or take after the decease of any person, any portion or portions, nor any other demand or dutie, in the name or lien of the same, vpon paine to incurre such penalties, as be contained in the statute of p. ouers made 25. Ed. 3. (viz. they shall be attached by their bodies, and brought in to answer, and if they be conuict, they shall remaine in prison, without being let to baile or maineprie or other wise deliuered untill they haue paid a fine to the Quene at her pleasure, & satisfaction to the partie grieved, and before their deliuerance they shall find surty that they shall not attempt such things in time to come. And if they cannot be found, an Exigent shall be awarded against them by due proces, and writs shall go forth to apprehend their bodies, & in the meane time the Quene shall haue the profite of their benefices or other spirituall promotions.) But every of the Quenes subiectes of the said Archdeaconrie, and their executors and administrators, shall be used for their goods and cattels after their decease, in like maner as is contained in the foresaid Statute of 21. H. 8. Any custom, bil, composition, prescription, or ordinance &c. notwithstanding. 26. H. 8. 15.

Proclamations
of Summons
in real actions.

Proclamation.

After every Summons vpon the lande in any real action, Courtene dates at the least before the day of the returne thereof, Proclamation of the Summons shall be made on a Sunday immediately after diuine service and Sermon, if any Sermon there be, and if no Sermon there be then forthwith after diuine service, at or nere to the most vsuall doore of the Church or Chappell of that Towne or parische where the lande
where.

whereupon the Summons was made both lie, And that Proclamation so made as aforesayd, shall be returned together with the names of the Summoners, and if such Summons shall not be proclaymed and returned according to the tenor and meaning of this Acte, then no Graund Cape to be awarded, but an alias, & pluries Summons, as the case shall require, untill a Summons and Proclamation shall be duly made and returned according to the tenor and meaning of this Acte. Anno. 3. 1. Eliz. 3.

1 For Proclamations vpon Exigents and outlawries S. Exigent.

2 For Proclamations vpon fines leuied. S. Fines. 3.

3 Proclamation that a reculant indicted shall yeelde his body to the Sherife. S. Sacraments. &c. 23.

4 Wher proclamation shalbe made in a writ of Admesurement of Pasture or dower. S. Admesurement. 1.

5 That the Queenes Auditors shal make proclamation in Market Townes, of the times and places of keeping their Audites. See Audites. 1.

6 That proclamatiō shalbe made vpo a distres deliuered of record in an Attaint xv. daies before the returne of the distres. S. Attaint. 2.

7 That v. proclamations shalbe made that a bankrupt shall yeelde his body to the commissiōners. S. Bankruptes. 8.

8 Where and when proclamation shalbe made when a writ shalbe directed to the Bishop to certifie Bastardie. S. Bastardie. 3.

¶ Prohibition, Consultation.

The Quēnes prohibition doth not lie, when any oblations, obuenti-
ons, or Portuarie (where Portuaries haue bene bled to be given) Oblations
be by those names demaunded in an ecclesiasticall Court, although for the Portuaries.
long withholding of the same, they bee esteemed at a certaine summe of
money. But if a clerke doe sell his tithes being gathered in his Barne or
elsewhere, for a certaine summe of money, if the money be demaunded Money for
before an ecclesiasticall Judge, the Quēnes prohibition shall take place, tithes.
for by the sale, spirituall things are become tempozall, and tithes are tur-
ned into chattels. Articuli cleri. 9. Ed. 2. 1.

2 If an ecclesiasticall Judge doe enioyne penance for deadly sinne, as
for fornication, aduoltrie, and such like (for the which sometime corpo-
rall punishment, and sometime punishment by the purse is inioyned) or
for that the Churchyard is vsenced, or the church vncouered, or not con-
ueniently decked (in which cases there is none other punishment but by
the purse) or for laying violent handes vpon a Clerke, or for defamation
when money is not demaunded, but correction of the offence required, or
for breaking of any othe, or if the Bielate of a Church, or an Advocate doe
demand of a person a pension due vnto him, the Quēnes prohibition doth
not lie, and in the foresayde cases the ecclesiasticall Judge hath power to
take

Prohibition, Consultation.

No prohibitiō
but where the
Quene hath
cognisance.

Money for
corpoꝛall pu-
nishment.

Where a sute
may be commen-
ced both in the
spiritual and
tempoꝛall court
for one offence.

Indicavit.

Silua cedua.

A mill new
builded.

Indicament in
the sherriffes
turne.

take order, notwithstanding the Quenes prohibition to him directed, Art. cleri. 9. Ed. 2. Circumspecte agatis 13. C. 1. For no Prohibition shalbe directed out of the Chauncery, but where the Q. maiestie hath, and of right ought to have cognisance of the plée. 18. Ed. 3. 5.

3 ¶ If a Prelate or ecclesiasticall Judge will appoint that one shal pay money for his offence, and the money is demanded of the offendoꝛ, the Q. prohibition doth lie, but if he do enioyne some corpoꝛall punishment, & they which are to be punished, will vpon their owne accorde redēme the same punishment with money, which money is demanded before the ecclesiasticall Judge, the Q. prohibition doth not lie. And likewise in excommunication and defamation, the ecclesiasticall Judge may correct by enioyning a corpoꝛall punishment, notwithstanding the Q. prohibition, the which if the offendoꝛ wil redēme by giuing to the party grieved money, he may, & the same may be demanded before an ecclesiasticall Judge, and in those cases Q. prohibition will not take place. But though any cause or businesse (the cognisance whereof belongeth to the ecclesiasticall court) shalbe once determined before an ecclesiasticall Judge, & become a thing adiudged, and not staied by appeale, if after question be moued vpon the same thing betwixt the same persons before a secular Judge, & be proued by witnessses or instruments, the former iudgement shalbe no exception in the secular court, for one cause may be sued before ecclesiasticall Judges and secular Judges in seuerall respectes (as for laying violent hands vpon a Clerke.) And therefore notwithstanding the iudgement giuen in the ecclesiasticall court, the Quenes court shal deale in that cause as it seemeth good. Art. cleri. 9. Ed. 2. 2. 3. 4. 6.

4 ¶ If there be debate vpon the right of tithes (which hath his originall vpon the right of the Patronage) & the quantitie of the same tithes doe excede the iij. part of the value of the Church (if the sute be commenced before a spirituall Judge) the Quenes prohibition (viz. a writ of Indicavit) doth lie 9. Ed. 2. 2. Which writ of Indicavit shall not be graunted to any man, before the matter depending in the spirituall court, betwēne the parties be recorded, and that the Chauncelloꝛ of England be certified thereof by the sight of the libell. 34. Ed. 1. De coniunctim feoffatis.

5 ¶ If any Parson or Vicar do implead any other in a spirituall court for the tithe of wood being xx. yēeres of age or aboue in the name of Silua cedua, the party sued shall haue a prohibition, and vpon the same an attachment. 45. Ed. 3. 3.

6 ¶ If any person do build a new Mill in his ground, and the parson of the same parish do demand tithes thereof, the Quenes Prohibition doth not lie. Art. cleri. 9. Ed. 2. 4.

7 ¶ If any clerke or lay person being indicted before the sherriffe in his turne, and after by enquest deliuered before the Iustices, doe sue in the spiritual court against such indictors, surmising that they haue defamed him,
curry

every person feeling himselfe thereby grieved, shall have a prohibition in the Chancery upon his case. 1. Ed. 3. 11.

8 **C**f any Ecclesiasticall Judges do surcease to proceede in any cause moved before the by force of the *N. writ* of prohibition, in any case where remedy cannot be given unto the complainantes in the *N. court* by any writ out of the Chancery, the Lord Chancellor, or chiefe Justice for the time being, upon sight of the Libell of the same matter, at the request of the plaintife (if they see that the plaintife can have no remedy out of the Chancery, but that the matter is determinable in the ecclesiasticall court) shall writ unto the Judges before whom the matter was first brought in question, that they shall proceede in the same cause, notwithstanding the *N. Prohibition* to them directed. 24. Ed. 1.

9 **C**Where a Consultation is once duly granted upon a Prohibition directed to any Ecclesiasticall Judge, the same Judge may proceede in the same cause by virtue of the same Consultation, notwithstanding any other Prohibition delivered unto him, but the matter in the Libell of the saide cause shall not be enlarged, altered, or changed, An. 50. Ed. 3. 4.

10 **C**f any partie for any cause appointed in the statute provided (2. Edw. 6. for true payment of tithes and offerings) to be sued or determined in the Quenes Ecclesiasticall Court, or before the Ecclesiasticall Judge, doe sue for any Prohibition in any of the Quenes Courtes where Prohibition have bene used to be granted, then before any Prohibition shall be granted to him, hee shall bring and deliver to the handes of some of the Justices or Judges of the same Court where such party demandeth Prohibition, the very true copy of the Libell depending in the Ecclesiasticall Court, concerning the matter wherefore the partie demandeth the Prohibition, subscribed or marked with the hande of the same partie, and under the copie of the saide Libell shall be written the suggestion wherefore the partie so demandeth the said Prohibition, and in case the saide suggestion by two honest and sufficient witnesses at the least be not proved true in the Court where the saide Prohibition shall be so granted, within five monethes next following after the saide Prohibition shall be granted and awarded: Then the partie that is hindered of his suite in the Ecclesiasticall Court by such Prohibition, shall upon his request and suite, without delay have a Consultation granted in that same case, in the Court where the saide Prohibition was granted, and shall also recover double costes and damages against the partie that so pursueth the said Prohibition, the same to be assessed by the Court where the saide Consultation shall be so granted, for which costes and damages the partie to whom they shall be awarded, may have an *A. of debt* by *B. P. J. &c.* in any of the Quenes Courts of record, wherein no *W. C. P.* 42. 2. Ed. 6. 13 S. Tithes. 25. &c.

No prohibition shall be allowed after consultation granted.

A copy of the libel shall be delivered to the Judge before a prohibition granted.

Consultation for default of proving the suggestion.

Prophecies. Protections.

I If any person do aduisedly & directly aduance, publish, and set forth by writing, printing, singing, or any other open speech or deed, to any person or persons, any fond, phantastical, or false Prophecie, bypon or by the occasion of any Armes, Fields, Beasts, Badges, or such other like things accustomed in Armes, cognisances, or signets, or bypon or by reason of any time, yere, or day, name, bloudshed, or warre, to the intent thereby to make any Rebellion, Insurrection, discention, losse of life, or other disturbance within this Realme, and other the Quenes dominions: Then every such person being thereof lawfully convicted &c. for euery such offence shall suffer imprisonment by the space of one yere without bayle or mainprise, and shall forfeite to the Quene & J. r. li. to be recovered by A. J. &c. wherein no W. C. P. &c. And if any offender do either offend in any of the premises after such conuiction, and be thereof lawfully convicted, then he shall for his second offence and conuiction, suffer imprisonment without baile or mainprise during his life, and also forfeit. to the Q. and J. &c. all his goods and cattels, reals & personals. But no person shall be impeached of any offence committed contrarie to this act, vntlesse hee be therfore impeached or accused within vi. monethes next ensuing such offence by him done. 5. Cl. 15. S. Iustice of peace. 24.

1 The penaltie of prophesying, how long the Queene shall liue, or raigne. S. Newes. 7.

¶ Protections.

By the Q. protection the parties suit shall not be hindered but his execution.

I If the Quenes Maicstie do by her Prerogative, grant to any persons which be bound to her grace for any maner of debt, protections that they shall not be impleaded, for any debtes which they owe to others, vntill they haue made satisfaction to her, for that which is due vnto her: Yet notwithstanding euery man which hath cause of action against such debtors, shall be answered in the Quenes Court by the said debtors, and if the plaintife or demandant haue iudgemēt giuen for him, the execution of the iudgement shall be suspended, vntill the Quene be satisfied of her debt. And if the creditors will take vpon them to answer the Quenes debt, they shall be thereunto receiued, and moreover shall haue execution against the debtors of the debt due vnto them, and also shall recouer against them so much as they pay to the Quene for them. 25. Ed. 3. 19.

Protection cum clausula volumus.

2 **I** No protection with the clause (Volumus) shall be allowed before any Iudge, for bitailes taken or bought bypon the biage, or seruice whercof the protection maketh mention, nor yet in places of trespassse, or of other contracts made or committed after the date of the same protection. 1. R. 2. 8.

Protection Quia profecturus.

3 **I** No protection with the clause (Quia profecturus) shall be allowed in any place whercof the suite is commenced before the date of the said protection (except it be in a biage roiall, or in the Quenes messages for the affaires of the realme.) But they which be impleaded shall make their

their Attorneyes to answer for them in such places, or tarry themselves if they will. But the Protection (Quia moratur) shall be allowed in all cases, as it hath bene. 13. R. 2. 16.

4 ¶ If any tarry in the Countrey without going to the service, for the which he is retained, more then a convenient time after he hath his Protection, or doe remaine from the same service, & the Chancelloz of England be thereof informed, he shall repeale his protection. 13. R. 2. 16. And if one do cast a Protection of the Quenes service, and his aduersarie will challenge the protection, & immediatly when it is shewed forth wil auerre that his aduersarie was within the iij. Seas, and forth of the Quenes service, so that he might haue come, the challenge shall be entred of record, and the matter shall remaine without day, according to the nature of the Protection. And when the partie shall be resummoned and come into the Court, and demand iudgement, and hearing of the proces, & offer to auerre his challenge if his aduersarie will attend, if the enquest passe against him which cast the Protection, it shall turne him to a default if he be tenaunt, and if he be demandant, he shall lose his writ and be amerced. 23. Ed. 1. Stat. de Protectionibus.

5 ¶ No writte of course in the nature of a Protection shall be granted within the Countie palantine of Chester, vpon the suggestion of any person indebted to any other comming to the Exchequer in the said countie palantine, and there taking a corporall othe, that he shall pay his creditors as he shall be able (as in time past it hath bene vsed) without a speciall warrant from the Quene, her heires or successors containing such protection. 34. H. 8. 13.

Causes of re-
pealing a pro-
tection.

Protection for
the Countie
of Chester.

Purueyours.

¶ If any Chatoz, or other officer of any Lord or other person, do presume to take, or else doe take any bitailes, corne, hay, carrages, or any other thing of any of the Quenes liege people in any manner against their willes, without making a lawfull bargaine betwixt the saide Chatoz or officer, and the saide person (except it be for the Quene and her house) then if notice or request be made to the Maior, Sherife, Bayliffe, Constable, or other of the Quenes officers of the Cities, Boroughs, Counties, or places where such taking shall be, the said Maior, Officer &c. shall immediatly take and arrest all such Chatozs and Officers so offending, and sende them to the Quenes next prison, there to remaine without bayle or mainprise, vntill they haue redelivered all the thinges so taken, or the very value thereof. And if the saide Maior, Officers &c. do the contrarie, they shall forfeite xx. li. whereof the Quene shall haue the one halfe, and the party from whom the things were take the other, if he will sue by A. of debt, wherein no W. &c. & if he will not sue, whosocuer will, shall haue the suit to recouer the one moytie for the Quene, & the other for himself. And if any of the said Chatozs (other then the Quenes) be duely conuict

No subiectes
Chatoz shall
take any thing
against the oth-
ers consent.

of such vnlawfull taking, then they shall yeeld to the partie who so sueth, the treble value of the things so taken, and the double costes of their suits, and also shall make fine to the Queene. And in all those actions no *D.* 4c. 23. *H.* 6. 14. It seemeth by some statutes, that if any mans chatel or servant, other then the Queenes, doe take any thing of any man, but of him which will willingly sel it, as he can agree with the seller, or doe not pay for it presently according to the agreemēt, it is felony in the same chatel. 36. *Ed.* 3. 6. 7. *R.* 2. 7. See 4.

Felony.

No spiritual persons goods shalbe taken.

2 *C.* No Sheriffe, or other officer of the Queenes, nor any other person, shall by commission vnder the great seale, or priue seale, or without commission, take or carry away any manner of coine, haye, vittails, horse, bullockes, cartes, boats, ships, or any goods of any Archbishops, Bishops, Prelats, Barlons, Vicars, or of any other of the Clergie vnder the colour of buying, or by any other meane, within their manors, houses, granges, nor in other places within the fee of the Church, or in market townes, or any other places against the wils of them whose the goods be, or of them in whose possession they then do remaine. Neither shall the said Prelats or Clergy be charged to receiue into their houses any hostages, or Sojourners of Scotlande, or other forreine Region. For the Horses, Dogs, Falcons, or other Hawkes of the Queenes, or any other persons against their willes: Saving they which of auncient right do owe to her Grace that service, to keepe her Horses, Hawkes, Dogges, &c. 3. *Edw.* 1. 1. 10. *Edw.* 1. 14. *Ed.* 3. 1. And if any of the Queenes purueyors, or takers doe the contrarie, the Prelates and Clerkes shall haue their action of trespassse against them, and reconer their treble damages. 1. *R.* 2. 2. And in all Commissions to be made for the prouision of the Queenes house, the fees of the Church in euery place shalbe excepted. 18. *Ed.* 3. 4.

Purueyors shal agree for things taken.

Purueyors shal shew their Commission.

3 *C.* Purueyors for the Queenes house shall pay or agree for the prices that they shall make in the countrey of meate, drinke and other necessarie thinges for the same house, with them of whom the things be taken, and they shall haue their warrant or commission with them, (sealed with the Queenes great seale. 36. *Ed.* 3. 2.) containing their authority, & the things whereof they shall make prices, or purueiance, the which warrant they shall shew to them of whom they make their prices before they do take any thing. And if any purueyor of the Queenes house, by reason of his warrant doth make prices in other sort then is afoze limited, if bypon complaint made to the Treasorer & Steward of the Queenes house, and by enquirie, he be thereof attainted, he shall agree with the plaintife immediately, & be put out of the Queenes service for ener, and remains in prison at the Queenes pleasure. Stat. de prisīs, 28. *Ed.* 1. 2.

Purueiance without warrant.

4 *C.* If any make purueiance or prices without warrant, and doe carry them away against the will of the owner, he shall be arrested by the toson where

where the prices were made, and caried to the next gaole, and if hee bee thereof attainted, he shalbe punished as a felon, if the value of the goods do so require 28. Ed. 1. 2.

Felon.

5 ¶ All purveyances which shalbe made for the Queenes house where shee doth abide and passe through the countrey, shalbe made by warrant and power given to them which shall make the purveyaunce, in which warrant it shalbe contained, that they shall buy nothing but by agrément betwene the buyer and the seller, and by the good will of the sellers, and if any by colour of his commission take any thing against this ordinance, none shalbe bound to obey him any more, then if hee had no commission. 14. Ed. 3. 19.

Purveyance by the owners good wil.

6 ¶ No Constable or his Bailife, shall take corne or cattell of any man for to vittaille his Castell, if the man be not of the towne where the Castell is, but he shall forthwith pay for the same (except the seller wil despite the payment.) And if he be of the same Towne, the price of the corne and cattell shalbe paid within xl. daies, (except it be an ancient price due to the Queene, the castell, or the Lord of the Castell. Magna chart. 9. h. 3. 19. West. 1. 3. Ed. 1. 7.

Purveyance for a Castle.

7 ¶ If any take corne or vittaille to the Queenes use byon credite or to the garison of a castell, or otherwise, and when they have received their payment in the Eschequer, wardrop, or elsewhere, do withhold it from their creditors, if they have any landes or tenementes, it shalbe leuied of their landes and goods, and paid to their creditors, with the dammage they have sustained, and also they shal pay a fine to the Queene for the trespass, and if they have no landes, they shalbe imprisoned at the Quenes pleasure. 3. Ed. 1. 31.

Withholding of money due for prices.

8 ¶ If any taker of wood or timber to the Quenes use, for worke or any other thing, do cause to be cutte or felled downe any mans trees growing about or within his house, he shall pay to the partie his treble damages, be one yere imprisoned, and lose his office. 25. Ed. 3. 6. But by the statute of Mag. chart. 9. h. 3. 21. no wood shalbe taken for the Queen without the owners consent.

Taking of timber about a house.

9 ¶ No purveyor of the Q. shal take any more sheep before share time, but so many as may reasonably suffice untill share time, and after that time they shal take as many shorne sheepe & not other, as may reasonably suffice for the time to come. And if any taker, purveyor, or buyer, take any sheepe with their wolle, betwixt Easter and the feast of S. John Baptist, praise them at a smal price and send them to his house to bee shorne to his owne profite, and thereof bee attainted at the suite of the Queene, or the partie, he shall be viled as a thiefe or a robber. 25. Ed. 3. 15.

Taking of sheepe.

Felon. Quare.

10 ¶ All purveyances that shalbe made for the Quenes great hoxses, so long as they doe soiozne in any Countrey, shall be made by the Sheres of the counties where such hoxses do soiozne, and not by any other, and

Purveyance for the Quenes hoxses.

Purueyors.

**Purueyance
for þe Quenes
dogges.**

and the purueyances made by the Sherife in this case, shall be deliuered to the keepers of the hoxles, by Indenture 10. Ed. 3. 4. But no commission shall be made to any, but onely a commaundement to the Sherife, that hee make purueyance of the issues of his Balliwick: and the number of the hoxles for the which he shall make purueyance shall be containd in the commaundement, and no purueyance shall be made aboue that number: Saving that the chiefe keeper shall haue a hackney, and for euery hoxse shall be allotted one seruant without bringing woman, pages, or dogges with them. And if there be any more founde there remaining to charge the countrey, they shall be sent to prison, vntill the Quenes pleasure be knowen. And in like maner purueyances shall be made for the M. dogges, when as she sendeth them into the countrey, & if any man be griued against the forme aforesaid, he shall haue his remedie against the Sherife. 14. Ed. 3. 19.

**Purueyance
for þe Quenes
wardrope.**

II **T**akers of prizes in Faires, good towines, and in ports, for the Quenes wardrope, shall haue their common warrant vnder the great seale, and the things that they shall take, shall be testified vnder the seale of the keeper of the wardrope. Of the number of the things taken, the value and the quantitie, there shall be an Indenture made betwene the takers and the keepers of Faires, Maiors, and Bailifes of those towines & ports where such goods be taken, by the view of those marchants whose goods be taken, and they shall take no more then is contained in their Indenture, which Indenture shall be sent into the wardrope vnder the seale of the keepers of the Faire, Maior, or chiefe Bailife, there to remaine vntill the accompt of the wardrope be giuen to the Quene. And if any be found that he hath taken otherwise then he ought to do vpon his accompt, hee shall be punished by the keepers of the wardrope, according to his deserts. And if any make such prizes without warrant, he shall be punished as a felon, if the value of the goods do require it. 28. Ed. 1. 2.

Felony.

**No vitaller
shal be a taker
of carriage.**

12 **I**f any Letters patentes at any time shall be graunted to any hostelers, brewers, or other vitallers keeping hostleries, or houses of retaining of vitalles, to take hoxses and carts for the Quenes carriage, the same patents shall be void. 28. H. 6. 2.

**Taking money
to spare any
mans hoxse or
cart, or taking
without an of-
ficers deliuey.**

13 **I**f any person doe take any Hoxse or cart, without agreeing with the owner for the same, and by the deliuerance of the Maior, Sherife, Bailifes, or Constable, where such taking is, or doe take any money of any person for to deliuer vnto him his hoxse or cart, which he hath taken, or doe take any fine of any of the Quenes people to shewe them fauour, and not to take their hoxses or cartes, then he or they from whom such hoxse or cart, or of whom such fines or payments be taken, shall haue an action of trespassse at the common lawe for such takings; and shall recover against the offender treble dammages. 28. H. 6. 2. 3. Edw. 1. 3. 1. But no person the cart of any spiritual person, Knight, or Lord, shall be

taken. Magna Charta. 21.9.11.3.21.

14 **C** No buyer or purueyours of bitailes, or taker of carriages, shall receiue of any one or other any gift, or other good turne to spare him, not to charge or griene any man by reason of such takings, buyings, and carriages for hatred, enuy, euill will, or procurement, and if hee doe, and thereof be attainted at the parties suite, he shall yeeld to the partie his treble dammages, haue two yerres imprisonment, be punished at the Quenes pleasure, and forswear the Court, and if the party will not sue, he that will sue for the Quene shall haue the thirde peny of that which shalbe recovered, for his paines, and neuertheless the Purueyours shall receive the foresaid punishment. 36. Ed. 3. 3.

Receiuing reward to charge another.

15 **C** Certaine Marchantes, or other honest and discreete men shall be assigned by the Lord Treasorer to make puruepance of flesh, fish, and other bitailes for the Quenes warres, and for to bitaile Castles, & towne in England, or else where, without commission, & without the Quenes authoritie or any other, so that no man shall be enforced to sell any thing against his will. 14. Ed. 3. 3.

Puruepance for ships and Castles.

16 **C** All Takers and Purueyours shall take all corne, hay, litter, and other bitaile and goods of the Quenes people by measure striked, according as is used throught the Realme, and shall not measure them by heape, nor otherwise take excessive measure, and shall make present payment for the carriage thereof, and no man is bounde to deliuer for the quarter but viij. Bushels striked. 4. Ed. 3. 3. 25. Ed. 3. 1. 36. Ed. 3. 2. 11. 11. 7. 4. And if any of the Quenes Purueyours or other persons, do buy or take any corne in other sort, or by other measure but viij. bushelles striked for the quarter, and thereof is attainted, he shall be one yere imprisoned, pay to the Quene C. s. and to the partie griued as much for every time that he is thereof attainted. And the partie that will sue, may haue his action vpon the case, & aswell the partie griued, as every one of the Quenes liege people, which will sue for the Quene, may maintaine the suite in this case at his pleasure. And nothing shalbe taken for measuring of the said corne. 1. 11. 5. 10. 11. 11. 6. 8.

By what measure purueyours shall take.

17 **C** The Corne, Cattell, and other bitaile, and things which shall be taken for the Quenes house, shall be taken in such place where most plentie is, & in convenient time, & no more then is needfull for that season, and if the Purueyours or buyer cannot well agree with the seller, for that which he shall neede, then the same shall be praysed at the very value, by the Constables, and foure honest men of the towne where such taking is thereunto sioyne, and the praysers shall not be constrained by manace, threats, dures, or other villany to set any price, other then their othes do require, but as such things doe commonly goe in their next markets, and Indentures or tayles shall be presently made betwixt the Purueyours and those for whom the goods be taken, in the presence of the said Constables.

Appraiment of things purueged.

and

Purueyors.

and foure prayfours, containing the quantitie of their takings, the price, and of what persons, and they shall be sealed with the Purueyors seale, by which Indentures or Tails, satisfaction shall be made to them from whom such goods be taken, and if any taker or Purueyor do make his provision in any other maner then by foure discrete men of the Towne, or do not deliver Tails or Indentures with his seale as is before saide, hee shall be incontynently arrested by the Towne where such purueyance was made, and brought to the next gaole, and if he be thereof attainted, hee shall be punished as a Felon, if the quantitie of the goods do require. 5. Ed. 3. 2. 10. Ed. 3. 1. 25. Ed. 3. 1. 36. Ed. 3. 2.

Felony.

Quere.

¶ But consider the foresaid Statutes diligently, whether the appraisement shall be made by the Lordes of the Townes, or their Bailifes, or by the Constable & foure men of the Towne, and whether there shall be Indentures deliuered or Tails, and also whether the saide Indentures or Tails shall be made betweene the purueyors and iiii. prayfers, or betweene the Purueyors and owners &c. for therupon the foresaid Statutes do somewhat differ. S. 27. 28.

Commissions to enquire of purueyors behaviour.

18 ¶ Commissions shall be directed vnto two wise & credible men of euery countie, and to a third man of the Quenes house, that they three or two of them shall enquire of the behaviour of the Quenes Purueyors and buyers, and how much the Quenes purueyors of vitayles & great horses haue taken & bought of, & how much carriage they haue taken of euery village or singuler person, & to heare & determine aswel at the Quenes suit as at any other mans which shall finde him selfe grieved, the contempts, outrageous dealings, & trespasses committed by them in this matter. And that the said Iustices or commissioners may be duely informed of the foresaid things, the Steward, Treasurer, & Comptroller of the Quenes house shall assemble together, and call before them, all the clerkes & other officers of the same house, & seeing the receipt of the parcels purueyed in the countrey, and spent in the said house euery quarter, or halfe yere, shall certifye into the Chauncery the parcels taken in euery village, & of euery person: which certifiat the Lord Chauncello: shall sende downe to the foresaid Iustices or commissioners, & if it be found at the Quenes or the parties suite in the countrey by evidence of their indicors, or in other maner, that the Purueyors haue taken more then they haue deliuered to the Quenes house, and that they haue not payed for that which they haue taken, it is Felony, and they shall be punished as felons. 36. Ed. 3. 4.

Felony.

Purueyance in other maner then is comprised in his commission.

Purueyors othe.

19 ¶ If any taker or buyer, after commission to him directed, doth puruey or buy, or take any carriage in other maner then is comprised in his commission, it is Felony. 36. Ed. 3. 2.

20 ¶ Euery Purueyor and buyer for the Quene, before he hath his Commission, shall be swozne in the Chauncery, that he shall take nothing of the Quenes people, contrary to the foresaide statute made 36. Ed. 3. against

against the disorder of Purueyors. In which statute amongst other things it is ordeined, that the hainous name of Purueyors shalbe changed, and that they shalbe called buyers, and that there shalbe as fewe of them as may be. 23. H. 6. 1.

The name of
Purueyors
changed.

21. ¶ The praisors, & all the towne adioynning (if needs be) are bound to do their indeuour, to resist the buyers & Purueyors doing contrary to the said statute made 36. Ed. 3. and as much as in them is to execute the same statute vpon the Purueyors if they be required, & he which is griued with the taking of his goods contrarie to the saide statute, may chose to haue his action of debt against the saide praisors, towne or townes, and euery of them which doe not their indeuour in resistance of the saide Purueyors or buyers, in forme aforesaid when they be required, or else against the said Purueyors & euery of them, to recouer treble value of the goods so taken, and also his treble his costes & dammages. And if any purueyor, or other of the Quenes officers doe trouble in the Marshalse, or else where any of the Quenes liege people by any ciuill suggestion, or cause fained against them, because of the execution of the foresaid ordinaunces made 36. Ed. 3. he shall for. to the partie griued xx. li. beside his dammages and costes thereby sustained: And the party shall haue thereupon an action of debt. And euery issue triable in this action shalbe tried in the county where the goods were taken, & the defendants in all the foresaide cases, shall answer without fouching, and no W. & C. P. nor aide of the Quene shalbe allowed to them. And the Sergeant of the Catrie, shall satisfie all the dammages, debts, & executions which shall be recovered against any Purueyor vnder him in all the foresaid cases. And if the Purueyor be not sufficient to make satisfaction, the plaintife shall haue a Scire facias against the said Sergeant to haue execution. 23. H. 6. 1.

Resistance of
the purueyors
offending.

Sergeant of
the Catrie.

22. ¶ No Purueyor or buyer, shall make any purueyance for the R. Ready paymēt. house of any thing to the value of xl. s. or vnder, except hee make readie payment in hand, vpon paine to lose his office, and to pay the value to the partie griued. 2. H. 4. 14. And in case any Purueyor, buyer, or taker, will take or buye any thing to the value of xl. shillings or vnder of any person, and make not readie payment in hande, then it is lawfull to euery of the Quenes liege people to retaine their goods & cattels, and to resist such purueyors and buyers, and in no case to suffer them to make any purueyance. And euery Constable, Tythingman, or chiefe pledge of euery Towne or hamlet, where such purueyance shalbe made, shalbe assisting to the possessor or seller of such things, to be taken against the forme aforesaid, to make resistance in forme aforesaid, in cases they be required so to doe, vpon paine to yelde to the partie griued the value of the things so taken, with his double dammages, and none of the Quenes people shalbe put to any losse or dammage by the Quene, or any of her officers for such resistance, and none of the R. officers shall cause any of the

Purueyors.

the Queenes people to be arrested, vexed, or impleaded in the court of the Marshalsey, or elsewhere, for such retaining or not sufferance, upon paine to forfeite twenty pound to the Q. and J. etc. & in every action commenced upon this stat. the defendand shall answer without aid of the Queene, & in such actions proces shall be made, as in a writte of trespass done against the peace. 20. H. 6. 8.

The Queenes
Purueyors
may take with-
in liberties.

23. ¶ Purueyors assigned by the Q. commission for provision of her grace, shall and may provide all vittails, cozne, and other kind of thinges whatsoeuer it be, as well within liberties and franchises as without, any graunts, allowance, or other thing to the contrary, or let thereof notwithstanding. But such purueyor shall observe the statutes for them provided in every behalfe. 27. H. 8. 25.

Taking of fish.

34. ¶ No purueyor or other person whatsoeuer, shall by vertue of any commission or otherwise, take any herring, or sea fish from any of the subjects, that shall take the same in the ships or other vessels of the said subjects, otherwise then by agreement of the owners or sellers of the said fish, upon paine to forfeit the double value of the herringes or fish so taken. And it is lawful for any person being owner or seller of any such fish so taken, to withstand any person that will (by colour of purueying or otherwise) demaund any such fish, or the toll of any such fish without the good wil of the owner or seller: Provided that the fish called composition fish, heretofore graunted to the Q. by the subjects, of this realme traueiling into Islande, shall be taken by her Maiesties Officers and Purueyors, in such sort as the same hath bin lawfully used to be taken before the making of this act. And saving to the Q. her heires & successors, and to al other persons, such fishes as be knowen & used to be called regall fishes, wherunto her Maiestie or the said other persons haue or shall haue right or interest for such recompence as heretofore hath bin accustomed. 5. El. 5. 27. El. 11. to continue to the end of the next Parliament.

How long Com-
missions for the
taking of vi-
talls shall en-
dure.

25. ¶ Every commission that shall be made, granted, & directed to any person or persons, whereby he or they, or his or their Deputies shall haue authoritie to take any Beues, Wethers, Lambes, Calues, or any kind of salt fish, or any kind or kinds of graine, or butter in barrells, or other vessels, cheese, bacon, conies, pigges, geese, capons, or Hennes, shall not continue aboue five moneths at the farthest, next ensuing the date of any the said Commissions, and after the end of the said five moneths, euery of the said Commissions shall be void, whatsoeuer wordes, matter, or sentences be contained in any of them. 2. & 3. H. 8. 6.

In commissions
the countie wher-
of the quantitie
of the things to
be taken, shall
be expressed.

26. ¶ In every such Commission, shall be plainly as well expressed such Countie or Counties, as any of the said beues, wethers, lambs, calues, hogges, or swine, or any kind of salt fish, or any kind or kinds of graine, Butter, Cheese, Bacon, Conies, Pigges, Geese, Capons, or Hennes, is to be purueyed or taken in, by any of the personnes, or their deputies so autho-

authorised by the said commission, as also the full portion and number of all such beeces, wethers, lambes, &c. or any of them, as any of the said persons or their deputies shal be by force of the said commission authorised to take or purvey within any of the said counties. An. 2. & 3. P. & M. 6.

27 ¶ To every such commission shalbe annexed so many blanks in parchment as there shalbe severall countiees named within the said commission, in the which blanks shalbe faire and legible written, all and everie such beeces, wethers, lambes, calves, swine, any kind of salt fish, or any kinde of graine, butter, cheefe, bacon, cunnies, pigs, geese, capons and hennes, with the true and severall prises of every of them, as shalbe purveyed and gathered by any person or his deputies thereunto authorised by any such commission, within any particular towne, parish, or hamlet, being within any those countiees as shalbe expressed within the said commission, wherunto shalbe subscribed the name or signe maner of every such high Constable, petit Constable, or headborough, as shalbe by any precept to him directed by any persō, or any of his deputies, authorised therunto by such commission priue or knowledging to the deliuerie of the said beeces, or other thinges aforesaid, or any of them. 2. & 3. P. & M. 6.

Blanks annexed to commissions.

The high constables hand set to every blanke.

28 ¶ Every person or his deputy which shalbe by commission authorised to take any beeces, wethers, lambes, calves, swine, salt fish, or any kind of grain, butter in barrels, or other vessels, cheefe, bacon, conies, pigs, geese, capons, & hennes, or any of them, shall make a Docket or brieve in writing subscribed with his name, containing all and every such beeces, wethers, and other thinges aforesaid, as he shal by vertue of the said commission take within any particular towne, parish, or hamlet in any such countie or countiees, as shalbe expressed within the said commission, and the same docket or brieve faire and largeably written and subscribed, shal truly deliver to the said high Constable, petit Constable, or headborough, at such present time, as the said beeces, or other thinges aforesaid shalbe deliuered to any of them, upon pain of one yerres imprisonment, and to forfeit a hundred markes to the M. & J. to be recovered by A. J. &c. wherein no M. &c. P. &c. as oft as he shall offend. Al which dockets or brieses, the said high Constable, petit Constable, or headborough shall deliver or tuer to the Justices of peace at the next generall sessions holden within any of the said countiees. And the same Justices or two of them, may and shall from time to time certify the whole number and content of all and everie of the said dockets and brieses to the Lord Steward of the Queens household, or to the Treasurer or Comptroller of the same, or any of them or to the Treasurer or comptroller of the Queenes shippes, if provision of any the thinges before meneioned be taken for the vittailing of the nanie, or any of the Queenes shippes, whereby the true serving of any of the aforesaid commissions, and true answering of the same shall fully appeare. An. 2. & 3. P. & M. 6.

Dockets deliuered to the high Constables.

Dockets deliuered to the Justices of peace.

Purueyors.

All former statutes provided for purueyors must be observed.

29 **C** It is not lawfull to any person, or his deputie authorized by such commission, to leuie, take, or puruey any Beenes, Welthers, Lambs, Calues, any kinde of salt fish, Graine, Butter in vessels, Cheese, Bacon, Conies, Pigges, Geese, Capons, and Hennes, or any of them, in any other sort then is expessed in seuerall statutes heretofore made for Purueyors, vpon such paines, as in the said seuerall statutes is contained 2. & 3. P. & M. 6.

Statutes provided for purueyors shall extend to their deputies.

30 **C** All such lawes, statutes, and prouisions as heretofore haue been made against Purueyors, and euery of the penalties and losses appointed in any of the same against Purueyors and takers, shall also be extended and executed vpon euery of their vnder takers, deputies, & seruants. And all other which by colour shal take any bitaile or any other thing by force of any such Commission from any the Quenes subiectes, contrarie to the tenor and effect of any of the said lawes or statutes, in like maner to all intentes, as the same should or ought to be extended against Purueyors and takers themselves, and as strongly as if the said vnder takers, deputies, and seruants were specially & particularly named in euery of the same statutes. 2. & 3. P. & M. 6.

Commissions written in the English tongue.

31 **C** Euerie Commission that shall be made and graunted vnto any Purueyor, shall be written in the English tongue, and not otherwise. 2. & 3. P. & M. 6.

Purueyance within Cambridge or Driford, or five miles therof.

32 **C** No Purueyor, Taker, Badger, Lader, Pulter, or other minister for the Quene &c. nor any other common Pulter, shall take, or bargain for any kinde of bitaile or graine in any of the markets or Towns of Cambridge, or the Citty of Driforde, nor within the compasse of five miles thereunto adioynning, without the consent and licence of either of the Chauncellores or Vicechauncellores in writing obtained vnder the seale of the Office of the saide Chauncelloz or Vicechauncelloz of either of the said Vniuersities, and in no other forme then in the said licence shalbe expessed, so as the same giue not to any of the said Purueyors or others, any further authoritie then they haue, or may lawfully vse in those partes of the same countrey, being without the said limits of five miles. Neither shall attempt to take away, or bargain for any graine & other bitaile bought and provided within the saide space of five miles, by any common minister of any Colledge, Hostell, or Haule, to be spent within any of the same Colledges, Hostells, or Haules, wout like licence, & in no other forme then is next afoze mencioned, vpon paine of forfeiture of the quadruple value of any such graine or bitaile so taken or bargained for, in any of the said markets, or wthin the space of v. miles, or attempted to be taken, carried away, or bargained for, being provided to be spent in any of the said colledges, hostells, or haules: The one halfe of which forfe. shalbe to the common Treasorer of either the said vniuersities, respectiue to the fault committed against this their priuiledge, the other to the partie that will sue for the

the same by A. J. &c. in any court of record, or before the foresaid Chaunceloz or his Vicechaunceloz, or commissarie, and 2. Justices of the peace, of the county where the said University is set, and further shall suffer imprisonment for the space of 3. moneths, without baile or mainprie. 2. & 3. P. and P. 15. 13. Cl. 21. 31. Cl. 10. See Justices of peace. 60.

33. ¶ If any person within the said precinct of five miles, shall refuse reasonably to serve the necessarie provision of the said Universities, according to the true meaning of this act, then it shall be lawfull to any of the D. takers or purueiours to provide any corne or vittaille of any such person within any part of the precinct aforesaid, to the use of the D. as shall be declared to the said takers to be persons not worthy of the said priviledge, (for not reasonable serving the necessities of the said Universities) by the Chaunceloz or Vicechaunceloz of either of the said Universities, with the consent of two Justices of peace resident within either of the said Universities, citie, towne or countie, under their handes and seales, as the said purueiours lawfully may in any other place within the said precinct of five miles, and not otherwise. 13. Cl. 21. 31. Cl. 10.

Purueiours may take of them which refuse to serve the University.

34. ¶ But this Act shall not be put in execution at any time, whensoever the D. her heirs or successors shall come to any of both the said Universities, or within 7. miles of either of them, but shall be in suspence during that time onely, and no longer. 13. Cl. 21. 31. Cl. 10.

The ad susp. ded during the D. continuance within vii. miles.

35. ¶ This act shall not be prejudiciall to the Mayo, Bailles, & comminalltie of the citie of Oxford, nor to the Mayo or comminalltie of the towne of Cambridge, or to their successors, concerning any of their liberties or priviledges. But every of them and their successors respectively may have and use the same in such maner, as they ought to have done before. 2. & 3. P. & P. 15. 13. Cl. 21. 31. Cl. 10. to continue in force untill the end of the next Parliament now next ensuing.

The libertie of Oxford and Cambridge reserved.

1. That no purueiour of tymbre shall fel any timber to the Queenes use, but onely in Barking time, or else shall take away any more then onely the timber tree. S. Barke. 2.

2. That the Statute provided 35. H. 8. for the preservation of woods, shall not extend to woods purueied by the Queenes Commission. S. Woods 17.

3. Concerning Purueiours for Cities and corporate Townes S. Badger 4.

¶ Quare impedit.

¶ A. Justices of Warraine presentment, and in the ple of Quare impedit, of Churches being void, dates shall be given fro 15. dates to 15. dates, or from 3. weeks to 3. weeks, as the place shall be nere or far off. And in the ple of quare impedit, if the disturber do not come at the first day whereunto he is summoned, nor do cast an Effoine, then he shall be attached against another day, in which if he come not, nor cannot cast an effoin,

10. dates in Quare impedit.

Queene, Crowne, &c.

he shalbe distressed by the graund distresse, and if he do not then appeare, by his default the Bishop of the same place shalbe written unto, that the disturbers deniall shall at this time nothing hinder the plaintife: saving & disturbers right another time when he will sue. Marleb. 52. H. 3. 12.

¶ Queene, Crowne, and supream government.

The Q. enjoy
eth al regal po-
wer as king.

The law of this realme is, and ever hath bene, and ought to be under-
standed, that the King or regall Office of this Realme, and all digni-
ties, Prerogative, roiall power, preheminences, priuiledges, authorities,
and iurisdiccions thereunto annexed or belonging, being inuested, either
in male or female, are, and bee, and ought to be, as fully and entirely ac-
cepted, inuested, and taken in the one, as in the other, so that what or
whensoeuer statute or law doth appoint, that the King of this realme may
or shall haue, execute, and do any thing as king, or doth giue any commo-
dity to the king, or doth appoint any punishment for the correction of of-
fenders against the regaltie and dignitie of the king or of the crowne, the
same Q. (being supreme gouernesse, possessor, and inheritor to the imper-
riall Crowne of this realme, as our soueraigne Ladie the Q. most iustly
presently is) may by the same authoritie likewise haue, exercise, execute,
correct, and doe to all intents without doubt or question. 2. P. 2. Parlia-
ment. 1.

Al fozeine po-
wer abolished.

2 No fozeine Prince, person, prelat, state, or potentate, spiritual or
temporal, shall vse, enjoy, or exercise, any maner of power, iurisdiction,
superiority, authoritie, preheminence, or priuiledge, spiritual or ecclesiasti-
call, within this realme, or within any other the Queenes Dominions
that now be, or hereafter shalbe, but the same shalbe clearly abolished out
of all her dominions for ever. 1. Cl. 1.

Ecclesiastical
iurisdiccions
annexed to the
Crowne.

Commissioners
in causes of
religion.

3 Such iurisdiccions, priuiledges, superiorities, and preheminences
spirituall, as by any spiritual power hath heretofore been, or may lawfully
be vsed for the visitation of the ecclesiasticall state and persons, & for re-
formation, order, and correction of the same, and of all maner errors, he-
resies, schismes, abuses, offences, contempts, & enormities, shall for ever
be united to the imperiall crowne of this realme. And the Q. her heires, &
successors, Kinges and Queenes of this realme, shall haue full power by
letters patents vnder the great scale, to name and authorize when, as of-
ten, & for so long time, as her highnes, her heires or successors shall thinke
meet, such person or persons (being natural born subjects to her grace, her
heires and successors) as shee or they shal thinke meete, to occupie and ex-
ecute vnder her &c. all maner iurisdiccions, priuiledges, and preheminences
in any wise concerning any spirituall iurisdiction, within England &
Ireland, or any other the Queenes dominions, & to visit, reforme, order,
correct, & amend al such errors, heresies, schismes, abuses, offences, con-
tempts, and enormities, which by any ecclesiasticall power may lawfully
be ordered, corrected, or amended, to the pleasure of God, the increase of
vertue,

vertue, and the conseruation of the peace, and vnitie of this realme. And such person or persons so authorized by the Q. &c. after the said letters patents to him or them deliuered, shall haue authoritie vnder the Queene &c. to vse and execute all the premises, according to the tenor and effect of the said letters patents &c. 1. Cl. 1.

4. ¶ Every person hereafter particularly named, shall make, take, and receiue a corporall oth vpon the Euangelistes, according to the tenor and effect following, before such persons, at such places, and in such times, as be hereafter specified.

¶ I A. B. doe vtterly testify, & declare in my conscience, that the Q. high-nes is the onely supreme gouernour of this Realme, and of all other her highnes dominions and Countreys, as well in all spirituall, or ecclesiasticall thinges or causes, as temporall. And that no foraine prince, person, prelat, state, or potentat, hath or ought to haue any iurisdiction, power, superiority, preheminence, or authoritie, ecclesiasticall, or spiritual, within this realme, and therefore I do vtterly renounce, and forsake al forrein iurisdiccions, powers, superiorities, and authorities, and do promise that from henceforth I shall beare faith and true allegiance to the Q. highnes, her heires, and lawfull successors, and to my power shall assist and defende all iurisdiccions, priuiledges, preheminences & authorities, graunted or belonging to the Queenes highnes, her heires and successors, or vnitied and annexed to the imperial crowne of this realme, so helpe me God, and by the contents of this booke. 1. Cl. 1.

The Oth.

5. ¶ All & every archbishop, bishop, & every other ecclesiasticall person, & ecclesiasticall officer or minister, & every Judge, Justice, Pastor, & other lay or temporall officer, and euery other person hauing the Q. &c. or wages within any her dominions, shall receiue the same oth before such person or persons, as it shall please the Q. &c. vnder the great seale of England to assigne to take the same. And euery person that at any time shall be preferred &c. to any Archbishopricke, or Bishopricke, or to any other ecclesiasticall benefice, promotion, dignity, office, or ministerie, or that shall be by the Q. preferred to any temporall or lay office, or ministerie, or seruice, within any her dominions, before he shall take vpon him to receiue, vse, exercise, supply, or occupy any such archbishopricke, bishopricke, promotiō, dignity, office, &c. shall receiue the same oth before such persons as shall haue authority to admit any such person to any such office &c. or else before such person &c. as by the Q. &c. vnder the great seale shall be assigned, to minister & take the said oth. And euery person temporall, suing liuery, or Ouster le maine, out of the handes of the Q. &c. before his liuery, or Ouster le maine sued for, & allowed. And euery temporall person doing any homage to the Q. &c. or that shall be receiued into seruice with her &c. shall take the foresaid corporall oth before the Lord Chancelor, or Lord keeper &c. or before such person &c. as by the Queene &c. shall bee appointed to receiue the same.

These persons shall take the oth.

Queene, Crowne, &c.

And every person taking orders, and every other person which shalbe preferred to any degree of learning in any Uniuersitie within this realme or dominions, before he shal receiue such orders, or be preferred to such degree of learning, shal take þ̄ foresaid oth before his ordinarie, commissary, Chancelor, or vicechancelor, or their sufficient deputie in the said Uniuersitie. 1. Cl. 1. And all other persons which haue taken, or shal take orders, commonly called Ordines sacros, or Ecclesiasticall orders, haue been or shalbe preferred, or admitted to any degree of learning in any Uniuersity within this realme, or dominions to the same belonging. And al schoolmasters, publique & priuat teachers of childezen, as also, all persons þ̄ haue taken, or shal take any degree of learning, in, or at the common lawes of this realme, aswell vtter Barresters, as Benchers, Readers, ancients in any house or houses of court, & al principal treasurers, and such as be of the grand company in euery Inne of Chauncery. And all Attorneys, Prothonotaries, & Whilizers, towards the lawes of this realme, and all manner of Sheriffs, Escheatozs and Feodaries, and all other person and persons which haue taken, or shal take vpon him or them, or haue beene or shalbe admitted to any ministerie, or office, in, at, or belonging to the common law, or any other law or lawes, or to, or for the execution of them, or any of them vsed or allowed, or at any time hereafter to be vsed or allowed, within this realme or any other the dominions or countreies belonging, or which hereafter shal happen to belong to the crowne, or dignities of þ̄ same. And al other officers or ministers of, or towards any court whatsoeuer, & every of them shal take and pronounce a corporall oth vpon þ̄ Enangelists, before he or they shalbe admitted, allowed, or suffered, to take vpon him or them to vse or occupy any such vocation, office, degree, ministerie, rownth or seruice, as is aforesaid, and that in the open court, wherunto he doth or shal serue or belong. And if hee do not, nor shal not serue nor belong to any open court, then hee shal take the oth aforesaid, in an open place before a conuenient assembly to witnes þ̄ same, & before such person or persons as haue authozity by common vse or other wise, to admit or cal any such person to any such vocation, rownth, or seruice, or els before such, as by the Quēns commission vnder the great seale shalbe assigned to accept the same, according to the tenor, effect & fourme of the same othe verbatim. And every person which shalbe elected or appointed a knight citizen, or Burges, or Baron for any of the fine Ports, for any Parliament, shal before hee shal enter into the Parliament house, or haue any voice there, openly receiue and pronounce the said othe before the Lord Steward, or his Deputie or Deputies appointed. And hee which shal enter into the Parliament house without taking the said othe, shalbe deemed no knight, Citizen, Burges, nor Baron for the parliament, nor shal haue any voice, but shal be to all intents, as if he had neuer been returned, nor elected knight, citizen, burges, or baron for the parliament, & shall

shall suffer such paines and penalties, as if hee had presumed to sit in the same, without election, returne, or authoritie. And every Archbishop, and Bishop, haue power to tender the oth aforesaid, to every or any spirituall person, within his proper Dioces, aswell in iurisdiction &c. exempt, as els where. 5. Cl. 1.

To whom Bishops may tender the oth.

6. ¶ If any person appointed, or compellable by either of the acts made An. 1. Cl. 5. Cl. to take the said oth, or any person to whom the said oth shalbe tendered by others hauing thereunto authoritie by commission directed vnto them by the Lord Chauncelo: &c. or Lord Keeper, vnder the great seale of England (which without further warrant hath authoritie to direct such commission) shall at the time of the said oth so tendered, refuse to take or pronounce the same in maner and forme aforesaid, then the partie so refusing, and being therof lawfully indicted, or presented, within one yere next after any such refusal, or convicted or attainted at any time after, according to the law, shall suffer and incurre the paines, penalties, and forfeitures, provided by the statute of Provision and Premunire, made 16. R. 2. 5. Cl. 1.

The punishment of the refusal of the oth.

7. ¶ All & every such person and persons, hauing authoritie to tender the oth aforesaid, shall within xl. daies next after such refusall of the said oth, if the terme be then open, and if not, then at the first day of the full terme next following the said foztie daies, make true certificat vnder his or their Seale or Seales, of the name or names, places and degrees of the person or persons so refusing the same oth in the Kings bench, vpon paine that every of the said persons hauing such authoritie making default of such certificat, shal for every such default forfeit C. li. to the Queene &c. And the Sheriffe of the county where the Kings bench shalbe holden, shall or may impanell a Jurie of the same County, to enquire of every such refusall, which Jury shall and may vpon every such certificat, and other euidence to them giuen, indit the offender, in such sort, as they may doe of any offence committed against the Queenes peace, within the same county &c. 5. Cl. 1.

Certificat of refusal in the Kings Bench.

8. ¶ If any of the persons appointed by this Acte, to take the oth aforesaid, do after the space of thre moneths next after the first tender thereof, the second time refuse to take, and pronounce, or do not take or pronounce the same, in forme aforesaid to be tendered: then every such offender, for the same second offence, shal forfeit and suffer such like, and the same paines, forfeitures, iudgements and execution, as is vsed in cases of high treason. But this act &c. or any attainer to be had by force thereof, shall not extend to make any corruption of blood, the disinheriting of any heire, forfeiture of dowry, nor to the prejudice of the right or title of any person, other then of the offender, during his naturall life onely. And it shall and may bee lawfull to every person and persons to whom the right or interest of any landes, tenementes, or hereditaments, after the

The 2. refusal of the oth.

Queene, Crowne, &c.

death of any such offender should or might have appertained, if no such attainer had been, to enter into the same, without any Ouster le maine to be sued, in such sort, as he or they might have done, if this act had neuer been made. 5. Cl. 1.

Barons.

9 **C** This act shall not extend to compell any temporall person, of, or about the degree of a Baron of this Realme, to take or pronounce the oth aforesaid, nor to incurre any penaltie limited by this act for not taking or refusing the same. 5. Cl. 1.

Who shall take
the oth upon
the second ten-
der.

10 **C** No person shall be compelled by vertue of this act to take the oth about mentioned, at the second time of offering the same according to the forme appointed by this statute, except he hath been, is, or shall be an ecclesiastical person, that had, hath, or shall have in the time of one of her raignes of the Quēens father, brother, or sister, or in the time of the raigne of the Quēen her heirs, or successors, charge, cure, or office in the church, or such person as had, hath, or hereafter shall have any office or ministerie, in any ecclesiastical court of this realme, vnder any Archbishop, or Bishop, in any the times or raignes aforesaid, or such as shall wilfully refuse to obserue her orders for diuine seruice, that be authorized to be vsed and obserued in the church of England, after that he shall be publicly by her Ordinarie, or some of his officers for ecclesiastical causes, admonished to keepe & obserue the same, or such as shall openly, & aduisedly depaue by wordes, writings, or any other open fact, any of the rites and ceremonies at any time vsed, & authorized to be vsed in the church of England, or that shall say, or heare the priuate Masse, prohibited by the lawes of this realme. And al such persons shall be compellable to take the oth vpon the second tender of the same and incurre the penalties for not taking of the said oth, and none other. An. 5. Cl. 1.

The exposition
of the oth.

11 **T**he oth exprested in the said act made 1. Eliz. shall be taken and expounded in such forme, as is set forth in an Admonition annexed to the Quēens Injunctions, published Anno 1. of her raigne, viz. to confesse and acknowledge in her, her Heires, and Successors, none other authoritie then that, which was challenged and lately vsed by king H. 8. and king Ed. 6. 5. Cl. 1.

Compassing to
deprive the
Quēen of her
or to leuie war.

12 **I**f any person or persons do maliciously, aduisedly, & directly compass or imagine to deprive our soueraigne Lady Queen Elizabeth, or the heires of her body to be begotten, being kings or Quēenes of this realme, from the stile, honoꝝ, and kingly name of the imperiall Crowne of this realme, or from any other Realmes and Dominions vnto her appertaining and belonging, or to destroy the Quēene that now is, or any the Heires of her body being kings or Quēenes of this Realme, or to leuie warre within this realme, or within any Marches or Dominions to the same belonging, against the Quēene, or any the heires of her body being Kings or Quēenes &c. or to depose the Quēene, or any the heires, &c. from

from the Imperiall Crowne of the Realmes or dominions aforesaid, and the saide compasses or imaginations, or any of them, maliciously, advisedly, and directly shall, or doe utter by open preaching, expresse words, or sayings. Or if any person or persons shall maliciously, advisedly, and directly say, publish, declare, maintaine, or hold opinion, that the Queene that now is, during her life is not, or ought not to bee Queene of this realme, or after her death, that the heires of her bodie beeing Kinges or Queenes of this realme, of right ought not to be Kinges or Queenes of this Realme, or that any other person or persons other then the Q. during her life ought to bee King or Queene of this Realme or any other the Realmes or Dominions aforesaid, or after her death, other then the Heires of her bodie beeing Kinges or Queenes of this Realme, as long as any of her said heires of her body begottē shalbe in life, of right ought to haue and enioy the imperiall Crowne of this Realme, or any the realmes or dominions aforesaid: Then euerie such offendour being thereof duely conuicted or attainted &c. their abbettozs, pzocurers, and counsailers, and all and euerie their comforters knowing the said offences, or any of them to be done, and being thereof duely conuicted or attainted, shal forfeite to the Queene &c. all his and their goods and cattels, and the whole pzoofites of his and their landes, tenements, and hereditaments, for terme of his or their liues, and also shal suffer during his or their liues, perpetual imprisonment. And euery ecclesiasticall person, being conuicted or attainted of any of the offences aforesaid, shal for his offence immediatly be iudged, and remaine to all intents deprived of all his spirituall benefices and promotions. And euery patren, founder, and giuer, may present an other presently to the same, as if the incumbent were deceased. But no person shalbe in any wise impeached, for any of the offences abouesaid, committed onely by open preaching or wordes, vnlesse the offendour be thereof indicted, within fire moneths next after the same preaching or wordes. 1. Cl. 6.

wordes.

Maintaining that the Q. ought not to enioy the crowne but some other.

S. 17. a greater punishment &c.

Ecclesiasticall person offending.

The second offence.

13. And if any person being conuicted or attainted of any the said offences in forme aforesaid committed, shal after his conuiction, or attaindoz elthwies commit any of the said offences in forme aforesaid, then euery such second offence shalbe adiudged high treason, and the offendours therein, their abbettozs, pzocurozs, and counsellors, and all and euery their aidors, & comforters, knowing any of the said offences to be done, being therof conuicted or attainted according to the laws and statutes of this realm, shal be adiudged high traytozs &c. 1. Cl. 6.

14. If any person or persons by any writing, printing, ouert deede, or act, maliciously, advisedly & directly affirme that the Q. Paestie that now is, ought not to haue and enioy the stile, honoz, and Kingly name of this realme, or that any person or persons, other then the Queene who now is, ought to haue or enioy the same, or that the Queene that now is

Affirming that the Q. ought not to enioy the crowne.

anytinge.

L. iij.

during

Queene, Crowne, &c.

during her life, is not, or ought not to be *Q.* of this realme, or after her death the heires of her bodie being kings or *Quēens* of this Realme, of right ought not to haue & enioy the Imperiall crowne of this Realme, or that any person or persons, other then the *Quēne* that now is, during her life, and after her death, other then the heires of her body begotten, being kings or *Quēens* of this Realme, as long as any of her said heires of her body shalbe in life, of right ought to haue, and enioy the imperiall crowne of this Realme: Then every such offence shalbe adindged high Treason, and the offendour or offendours therein, their abbetours, procurours, & counsaillours, and all & every their aydoers & comforters knowing the said offences or any of them to be done, being therof lawfully convicted, or attained, by the lawes of this Realme, shalbe adindged high traytors, &c. and shall suffer death and forf. to the *Quēne* all their lands &c. as in cases of high treason: Sauing to al persons, other then to *h* offendours, their heires and such as claime to their use, all such rightes, titles, leases, rents, reuerfions &c. which any of them shall haue at the day of committing such treason, or any time before &c. 1. Cl. 6.

Treason.
The puni-
ment of *h* coun-
saillers.

15 *¶* The counsaillers, procurours, comforters and abbetours, mentioned in this act, for his or their first offence shall suffer like punishment, penaltie, and forfature, as is contained in this act against the principall offendours for their first offence, and none other. And the counsaillers &c. for their second offence shall sustaine like punishment &c. as is contained in this act against the principall offendours, for their second offence, and none other. 1. Cl. 6.

Roman shalbe
indicted or ar-
raigned without
sufficient wit-
nes.

16 *¶* No person shalbe indicted, or arraigned for any offence made treason or misprision of treason, by this acte, vnesse the same offence bee proued by the testimony and othe of two lawfull and sufficient witnesses at the time of his indictment, which witnesses also at the time of his arraignment, (if they be then liuing) shall be brought forth in person before the partie so arraigned, face to face, and there shall auow and openly declare all they can say against him, vnesse he shall willingly, without violence confesse the same. 1. Cl. 6.

Imagining
destruction to
the *Q.* person.

17 *¶* If any person or persons whatsoever, during the naturall life of our soueraigne Ladie *Q. Eliz.* shal be within the realm, or without, 1. compass, imagin, inuent, deuise, or intend the death or destruction, or any bodily harme, tending to death, destruction, maiime, or wounding of the roiall person of *h* same our soueraigne Lady, 2. or to depriue or depose her, or from the stile, hono^r, or kingly name of *h* imperial crown of this realme, or of any other realm or dominion to her Maiesty belonging, 3. or to leuy war against her within this realm, or without, 4. or to moue any forreiners, or strangers with force to invade this realm, or *h* realm of Ireland, or any other her Dominions beeing vnder her obeisance, and such compasses, imaginations, inuentions, deuises, or intentions, or any of them

them, shall maliciously, aduisedly, and expressly, declare by any Writing, Chitring, Ciphring, Speech, wordes, or sayings: 5. ¶ If any person or persons, shall maliciously, aduisedly, & directly publish, declare, hold opinion, affirme, or say, by any speech, expresse wordes, or sayings, that our said soueraigne Ladie Queene Elizabeth during her life, is not, or ought not to be Queene of this realme of England, & also of the realms of France and Ireland, 6. or that any other person or persons ought of right to bee king or Queene of the said realmes of England and Ireland, or of any other her dominions, being vnder her obeisance, during her life, 7. or shall by writing, printing, preaching, speech, expresse wordes, or sayings, maliciously, aduisedly, and directly publish, set forth, and affirme, that our soueraigne Lady Queen Elizabeth is an heretike, schismaticke, tyrant, infidel, or any usurper of the crowne of the said realme, or any of them: then euery such said offence shalbe deemed and taken high treason, and as wel the principall offendour, or offendours therein, as all & euery the abettours, counsellours, and procurers to the same offence, & all & euery aidours and comforters of the same offendour or offendours, knowing the same offence to be committed in any place within this realm or without, being therof lawfully and duely indicted, convicted, and attainted, according to the vsuall order of the common lawes, or according to the act made 35. H. 8. 2. concerning triall of treasons, committed out of the Queens dominions, shalbe indged &c. Traitors to the Queene and the Realme, and shall suffer death, and also forfait vnto the Queene &c. as in case of high treason. An. 13. El. 1.

Affirming that the Q. ought not to enjoy the crowne, but some other.

Affirming that the Q. is an heretick, tyrant, usurper &c.

Treason.

18. ¶ All and euery person and persons, of what degree, condition, place, nation, or estate soeuer they be, which shall at any time in the life of our Soueraigne Lady Queene Elizabeth in any wise claime, pretend, utter, declare, affirme, or publish themselves or any of them, or any other then our Soueraigne Ladie Elizabeth the Queenes maiestie that now is, to haue right or title to haue or enjoy the crowne of England, during, or in the life of our said Soueraigne Lady, or shall usurp the same crown, or the royall stile, title, or dignitie of the Crowne or realme of England, during or in the life of our said Soueraigne Ladie, or shall holde and affirme, that our saide Soueraigne Ladie hath not right to holde and enjoy the saide Crowne and Realme, Stile, Title, or Dignitie, or shall not after any demaund, on our said soueraigne Ladies part to be made, effectually acknowledge our said soueraigne Ladie to be in right, true, & lawfull Queene of this realme. They and euery of them so offending shall be utterly disabled during their naturall liues onely, to haue or enjoy the Crowne or realme of England, or the stile, title, or dignitie thereof, at any time in succession, inheritance, or otherwise after the decease of our said soueraigne Lady, as if such person were naturally dead, any lawe or matter, &c. notwithstanding. 13. El. 1.

S. treas. 10. claiming right to the crowne, or usurping the same.

disabled.

*Affirming the
right in succeſ-
ſion of ſ crown
in ſome other
then the Q.*

19 **C**If any perſon ſhall during the Queenes life, in any wiſe hold, affirme, or maintaine any right, title, intereſt, or poſſibilitie in ſucceſſion or inheritance, in, or to ſ crown of England, after our ſaid ſoueraigne Ladie the Queene, to bee rightfully in, or lawfully due, or belonging unto any ſuch claimor, pretendor, blurper, utterer, declarer, affirmer, publiſher, or not acknowledger, ſo that our ſaid ſoueraigne Lady the Queene ſhal by proclamation to be publiſhed thzough the realme, or elſe in ſ more part of thoſe ſhires of this realme, as well on the Southſide, as the North ſide of Trent, and alſo in the dominion of Wales, in which ſhires no war or rebellion the ſhal be: ſet forth, notify, & declare ſuch claiming, pretence, uttering, declaration, affirming, publiſhing, blurpation, or not acknowledging: then every perſon which after ſuch proclamation ſhall during the Queenes life, maintaine, hold, or affirme any right in ſucceſſion, inheritance, or poſſibilitie, in, or to the Crowne or realme of England, or the right thereof to be in, or to any ſuch claimer, pretender, utterer, declarer, affirmer, blurper, publiſher, or not acknowledger, ſhalbe a high traitor, and ſuffer, and forfeit as in caſes of high treaſon is accuſtomed. 13. Cl. 1.

*Maintaining
that ſ lawes do
not limit or
binde the right
of the Crowne.*

20 **C**If any perſon ſhall in any wiſe hold, and affirme, or maintaine that the common lawes of this realme, not altered by parliament ought not to direct the right of the Crowne of England, or that our ſoueraigne Lady Queene Elizabeth, with and by the authoritie of the Parliament of England, is not able to make lawes and ſtatutes of ſufficient force, to limit and binde the crowne of this realme, and the diſcent, limitation, inheritance and government thereof: or that this ſtatute, or any part thereof, or any other ſtatute to bee made by the authoritie of the Parliament of Englande, with the Queenes Royall aſſent for the limiting of the Crowne, or any ſtatute for recogniſing the right of the ſaid Crowne, and Realme, to be lawfully in the perſon of the Queene, is not, are not, or ſhall not, or ought not to be for ever of ſufficient force to bind, limite, reſtraine and governe all perſons, their rights and titles, that in any wiſe may or might claime any intereſt or poſſibilitie in, or to the Crowne of Englande, in poſſeſſion, remainder, inheritance, ſucceſſion, or otherwiſe howſoever, and all other perſons whatſoever: every ſuch perſon ſo holding, affirming, or maintaining, during the life of the Queene, ſhall be iudged a high traitor, and ſuffer and forfeit as in caſes of high treaſon are accuſtomed, and every perſon ſo holding, affirming, or maintaining, after the deceaſe of our ſaid ſoueraigne Lady ſhall forfeit all his goods and cattels. 13. Cl. 1.

Treaſon

*Declaring by
bookes who
ought to be the
Q. heire or ſuc-
ceſſor.*

31 **C**Whoſoever ſhall during the life of our ſaid Soueraigne Lady, by any Booke or worke printed, or written, directly and expreſſly declare, and affirme at any time before the ſame bee by act of Parliament eſta- bliſhed, that any one particuler perſon, whoſoever it be, is or ought to be the

the right heire, and successor to the Queenes Matie that now is, except the same bee naturall issue of her bodie: Whiche shall wilfully set vp in open place, publish, or spread any bookes or scrolles to that effect, or shall printe, binde, put to sale, or utter, or cause to be printed, bounde, or put to sale, or utter any such booke or writing wittingly, he or they, their abbettozs, and counsaillers, and euery of them shall for the first offence suffer imprisonment one whole yere, and for. halfe his goods to the Q. & J. to be rec. by A. J. &c. wherein no C. P. &c. And if any shall oftentimes offend therein, then euery of them, their abbettozs and counsaillers shall incur the paines and forfeitures, which in the statutes of Provision or Premunire, are appointed and limited: sauing to euery person, other then the offendours and their heires &c. all their right, title, &c. 13. Cl. 1.

22 No person shall be arraigned for any the offences mentioned in this Act, to be committed within any the Queenes Dominions, vntlesse the offendour be thereof indicted within vi. monethes next after the same offence committed. And no person shall be arraigned for any the offences mentioned in this act, to be committed out of any the Queenes dominions, vntlesse the offendour be thereof indicted within one yere next after the offence committed. 13. Cl. 1.

Within what time the offendour shall be indicted.

23 No person shall be arraigned for any the offences mentioned in the act, vntlesse y^e same offence be proued by the testimonte & othe of two sufficient witnesses, which shall at the time of the arraignment of such person be brought forth in person before the party so arraigned, face to face, and there shall auowe and openly declare all they can say, against the party arraigned, vntlesse he shall willingly without violence confesse the same. 13. Cl. 1.

None shall be arraigned by on any of thole offences except the same be proued by two witnesses.

24 The aidours & comforters of such of the offendours aforesaid, as shall maliciously &c. affirm that the Q. is an heretik, scismatick, tirant, infidel or usurper &c. shall for his said first offence of aiding and comforting y^e said last recited offendour, knowing the same offence to be committed, incur only the danger & penaltie of Premunire, mentioned in y^e stat. of Premunire, made 16. R. 2. And such aidours & comforters of the offendours aforesaid last recited, knowing the same offences to be committed, which after their first conviction and attaindour thereof shal oftentimes offend, shall for their second offence be adiu'dged high traitours. 13. Cl. 1.

The punishment of the aidours & comforters.

25 But the giuing of charitable almes in money, meate, drinke, apparell, or bedding for the sustentation of the body or health of any person, that shall commit any the offences made treason, or Premunire, by this act during the time that the same offendour shall be in prison, shall not be taken to be any offence. 13. Cl. 1.

Charitable reliefe of the offendour.

26 By the statute made 35. H. 8. 1. the crowne of England was entailed after the death of king H. 8. & king Ed. 6. dying without heires of their bodies, to the Lady Mary one of the daughters of the said king H. 8.

The Crowne of England entailed.

and

& to the heirs of her bodie lawfully begotten. And for default of such issue, to our soueraigne Lady **Q.** Elizabeth, by the name of the Lady Elizabeth the said king **H. 8.** second daughter, and to the heirs of her bodie lawfully begotten, & for lacke of lawful heires of the said Lady Mary, and Lady Elizabeth, to such person or persons, in remainder or reuerſion, as it ſhould please the said king **H. 8.** according to such estatute, and after such maner, and forme, order, faſhion, and condition, as ſhould be expreſſed, declared, named and limited in the said king **H. 8.** his letters patents, or by his laſt will in writing, ſigned with his hand. And by the ſtatute made **1. El. 3. & estate, right, title, and ſucceſſion in the imperial crown of England is recognised, knowledged, and confeſſed to be in, and to our ſoueraigne Lady Queene Elizabeth, and the heirs of her bodie to be begotten. And there it is further ordeined, that the ſaid recognitiō, declaration, and confeſſion, as alſo the limitation and declaration of the ſucceſſion of the imperiall Crowne mencioned and contained in the ſoreſaid acte of 35. H. 8. ſhould ſtande, remaine, and be the law of this realme for euer, and by the ſaide ſtatute of 1. El. 3. all ſentences, iudgements, and decrees made, ſet forth and publiſhed, and euery branch, article, or matter contained and expreſſed in any act of Parliament, repugnant, or contrary to the ſaid recognitiō, or any part thereof, or to the ſaid limitation of the ſucceſſion of the Crowne, eſtabliſhed by the ſtatute of 35. Hen. 8. were made fruſtrate and void.**

Inuaſion into
the realme or
hurt attempted
to p. person,
by or for any
pretending ti-
tle to p. crown.

27 **¶** At any time after the end of this preſent ſeſſion of parliament any open inuaſion, or rebellion ſhalbe had or made into or within any of her maieſties realmes or dominions, or any act attempted, tending to the hurt of her maieſties moſt roiall perſon, by or for any perſon that ſhal or may pretend any title to the Crowne of this realme after her maieſties deceaſe: or if any thing ſhalbe compaſſed or imagined, tending to the hurt of her maieſties royal perſon, by any perſon, or with the priuie of any perſon that ſhal or may pretend title to the crowne of this realme: then by her maieſties commiſſion vnder her great ſeale, the Lords & others of her highnes priuie counſel, and ſuch other Lords of parliament to be named by her maieſtie, as with the ſaid priuie counſel ſhall make by the number of 24. at the leaſt, hauing with the ſoreſaid their aſſiſtance in that behalfe, ſuch of the Judges of the courts of record at Weſtm. as her highnes ſhall for p. purpoſe aſſigne & appoint, or the moze part of the ſame counſel, Lords and Judges, ſhal by vertue of this act haue auctoritie to examine all and euery the offences aforeſaid, & all circumſtances thereof, & thereupon to giue ſentence or iudgement, as vpon good prooſe the matter ſhall appeare vnto them. And after ſuch ſentence or iudgement giuen, and declaration thereof made, and publiſhed by her maieſties Proclamation vnder the great ſeale of England, all perſons, againſt whom ſuch ſentence or iudgement ſhalbe ſo giuen & publiſhed, ſhall be excluded & diſabled for euer, to haue,

Proclamation

or claime, or to pretend to haue or claime the crowne of this realme, or any her maiesties dominions, any former law or stat. whathsoeuer to the contrary in any wise notwithstanding: and thereupon all her highnes subjects that may lawfully by vertue of this act & her maiesties direction in that behalfe, by all forcible & possible means pursue to death every such wicked person, by whom, or by whose means, assent or pmitte, any such insurrection or rebellion shalbe in forme aforesaid denounced to haue bin made, or such wicked acte attempted, or other thing compassed or imagined against her maiesties person, and all their aidors, comfortors, and abettors. 27. Cl. 1.

28. ¶ If any such detestable Act shalbe executed against her highnes most royal person, whereby her maiesties life shalbe taken away (which God of his great mercy forbid) then every such person, by or for whom any such act shalbe executed, & their issues being any wise assenting or pmiſſe to the same, shall by vertue of this act be excluded & disabled for ever to haue or claime or to pretend to haue or claime the said crowne of this realme, or of any other her highnes dominions: any former law or stat. whathsoeuer to the contrary in any wise notwithstanding. And all the subjects of this realme, & al other her maiesties dominions, shall and may lawfully by vertue of this act by all forcible & possible means, pursue to death every such wicked person, by whom, or by whose means any such detestable fact shalbe in forme hereafter expressed, denounced to haue bin committed, and also their issues, being any way assenting or pmiſſe to the same, and all their aidors, comfortors, and abettors in that behalfe. 27. Cl. 1.

They disabled to inherit the crowne, which execute any act to take away the Q. life.

29. ¶ To the end that the intencion of this law may be effectually executed, if her maiesties life shalbe taken away by any violent or unnatural means (which God defende) the Lords & others which shall be of her maiesties privy counsel at the time of such her decease, or the more part of the same counsell, forning unto the for their better assistance; 5. other Earles, & 7. other Lords of parliament at the least (considering that none of the said Earles, Lords or counsell be knowen to be persons who may make any title to the crown) those persons which were chiefe Justices of either bench, master of the rolles & chief baron of the Exchequer, at the time of her maiesties death, or in default of the said Justices, 3. of the rolles & chiefe baron, some other of those which were Justices of some of the courts of record at Westm. at the time of her highnes decease, to supply their places, or any 24. or more of them, whereof 8. to be Lords of parliament, not being of the privy counsell, shall to the uttermost of their power and skill examine the cause & manner of such her maiesties death, & what persons shalbe any way guilty thereof, & al circumstances concerning the same according to the true meaning of this act, and thereupon shall by open proclamation publish the same, & without any delay by al forcible & possible means, prosecute to death all such as shalbe found to be offenders therein & all their aidors & abettors. And for the doing thereof & for the withstanding & suppressing of all

Examining the cause, manner & circumstances of the death.

of al such power & force, as shal any way be leuied or stirred in disturbance of the due execution of this law, shal by vertue of this act haue power and authoritie, not only to raise & vse such forces as shal in y^e behalfe be needful & conuenient, but also to vse all other meanes & things possible & necessary for the maintenance of the same forces, & prosecution of the said offenders. And if any such power & force shalbe leuied or stirred in disturbance of the due execution of this law by any person that shal or may pretend any title to the crowne of this realme, whereby this law may not in all things be fully executed according to the effect & true meaning of the same: Then euery such person shal by vertue of this act be therfore excluded & disabled for euer to haue or claime, or to pretend to haue or claime the crowne of this realme, or of any other her highnes dominions. Any former lawe or statute whatsoeuer to the contrary notwithstanding. 27. Cl. 1.

Prosecuting of
the offenders.
Force leuied
to disturbe the
execution of
this statute.

Assistance to
execute this
statute.

30 **C** All & euery the subiects of her Maiesties Realmes & dominions shal to the vttermoost of their powers aid & assist y^e said counsell & all other the Lords & other persons to be adioyned vnto them for assistance as is aforesaid in al things to be done & executed according to the effect & intention of this law. And no subiect of this realme shal in any wise be impeached in body, lands or goods at any time hereafter for any thing to be done or executed according to the tenor of this law. Any law or statute heretofore made to the contrary in any wise notwithstanding. 27. Cl. 1.

The meaning
of y^e associatio.

31 **C** Whereas of late many of her Maiesties good & faithfull subiects haue in y^e name of God & with y^e testimony of good consciences by one vni- forme manner of writing vnder their hands & seales, and by their severall othes voluntarily taken, ioynded theselues together in one bond & associati- on, to withstand & reuenge to the vttermoost, all such malicious actions & attempts against her maiesties most royall person: Now for the full ex- planing of all such ambiguities & questions, as otherwise might happen to grow by reason of any sinister or wrong construction or interpretation to be made or inferred, of or vpon y^e words or meaning therof: Be it decla- red & enacted by y^e authoritie of this present Parliament, that the same asso- ciation & euery article & sentence therein contained, aswell concerning the disallowing, excluding or disabling of any person that may or shal pretend any title to come to the crowne of this realme, as also for the pursuing & taking reuenge of any person for any such wicked acte or attempt as is mentioned in the same association, shal & ought to be in al things expoun- ded and adiudged according to the true intent & meaning of this act and not other wise, nor against any other person or persons. 27. Cl. 1.

1 What prerogatiues, and preheminences the lawes & statutes do giue to the Q. S. Prerogatiue.

2 For all bands to be made to the Q. and how she shalbe answered all her debts, duties, and accompts. S. Accomptants to the Queene.

3 That the commissioners of Sewers decree, shal bind the Queens lands.

lands. S. Sewers. 8.

4 For the force of a fine leuied by tenant in taile, of lands wherof the reuerfion is in the Q. S. Fines. 17.

5 For the force of a recovery of lands intailed, wherof the reuerfion or remainder is in the Q. S. Recoveries. 2.

6 That though the plaintife be nonfuit, or a verdict paffe againft him in any action, bill, or plaint fued to the Q. yfe, the def. fhall not recouer coltes. S. Damages. 8.

7 That kings children borne beyonde the Sea, are inheritable in England. S. Abilitie. 1.

8 The punifhment of fuch as vtter feditious words, rumors, books &c. againft the Q. S. Newes. 3. 4. 5. &c.

¶ Quod permittat.

ETten as the parfon of any Church may recouer common of paffure by writ of *ad uel diffeifin*, fo fhall his fucceffor recouer againft the diffeifor, or his heir by a writ of *Quod permittat*: and as there is a writ grantable to enquire whether a tenement be the free almes of fuch a Church, or the lay fee of fuch a man, fo the like writ may be awarded to enquire whether it be the free almes of fuch a Church, or of another Church, in cafe where the free almes of one church is transferred into the poffeffion of another Church. *III. 2. 13. Ed. 1. 24.*

Iuris utrum.

¶ Rape.

IF any man do rauifh a married wife, a maide, or other woman where the doth not affent before nor after, it is felony. And in like fort if a mā doe rauifh a married wife, maide, or other woman with force, though the do confent after, it is felonie. *III. 2. 13. Ed. 1. 34.*

2 **I**F any perfon fhall unlawfully, and carnally know, and abufe any woman child, vnder the age of ten yeres, it is felony, and the offendor thereof being duly convicted, fhall fuffer as a felon, without allowance of Clergie. *18. El. 6.*

Abufing a woman child vnder x. yeres of age.

3 **I**F any noble mens daughters, Ladies, or other women be rauifhed, & after the fame rape committed, do confent to the rauifhors, as well the rauifhors as they that be rauifhed, & euery of them, fhall be difabled, & be difabled *Ipfo facto*, to haue or challenge al maner of inheritance, dower, or ioynt feoffment, after the death of their husbands & anceffors. And immediately in this cafe the next of the blood of thofe rauifhors, and of thofe which be rauifhed (to whom the inheritance, dower, or ioynt feoffment ought to difcend, reuert, remaine, or come after the death of the rauifhor, or her that is rauifhed) haue title incontinently after the rape, to enter vpon the rauifhor, or her which is rauifhed, their affignes, and lande tenants in that inheritance, dower, or ioynt feoffment, and the fame to holde by eftate of inheritance. And the husbands of fuch women (if they haue husbands) or if they haue no husbands living, then their fathers

The fort. wher the woman rauifhed doth confent.

or other their next kinsmen in blood, shall have the suit to prosecute, and may pursue against the same offenders and raiſſors, in this behalfe, and to convict them of felony, though the same woman after the Rape do consent to the raiſſors. And in this case the defendant shall not wage battell, but the truth of the matter shall be tried by the countrey. Saving alwayes to the King and other lords of the Realme, al their Excheates of such raiſſors if they be convict. 6.R.2.6.

How the def. in appeale of Rape, shall be vsed, S. Coroners. 7.

Receipt.

Whether the wife shall be received upon the husbands default.

If in an action brought against the husbände and the wife, of landes which be the right of the wife, the husband will absent himselfe, and will not defend his wifes right, or will against his wifes consent, yeelde the land, if the wife will come before iudgement, and be ready to answer to the demandant, and to defend her right, she shall be thereunto admitted. 2.R.2.13. Ed. 1.3.

Whether he in the reuerſion shall be received.

If any man do purchase a wright against tenant in dower, tenant by curtesie of England, or any other tenant for terme of life, or tenant in taylor, of landes where the reuerſion is in another, and he doe make default, or will yeelde the lande, the heires, or they that haue the reuerſion shall be admitted to answer if they come before iudgement. And if by default or yeelding, Iudgement shall be giuen, then the heires, or they which haue the reuerſion shall recover after the death of such tenants by a wright of Centre, Ad communem legem. 2.R.2.13. Ed. 1.3. But if any man being not partie to the suite, will come before iudgement in the foresaide case, and desire that he may be admitted, he shall shewe such sufficient suretie before his admission as the court shall thinke meete, to satisfie the demandant the value of the issues of the land so to be recovered, from the day that he is received to make answer, untill the day that finall iudgement shall be giuen upon the demandants petition. And if the demandant doe recover the thing in demand, the demandant shall be grievously amerced, if he haue whereof, and if he haue not whereof, he shall be committed to the gaole, & there remaine during the Kings pleasure. And if he can proue his right to be such as he affirmed it at the time of his receipt, he shall goe quit. 20. Ed. 1. Defensioe Iuris.

The receipt of one not partie to the suit.

Receipt of him in the reuerſion.

If any tenant for terme of life, tenant in dower, tenant by the curtesie, or tenant in taylor after possibilitie of issue exting, be impleaded, and he in the reuerſion doth come into the court and prayeth to be received to defend his right, at the day that the tenant doth plead to the action, or before, he shall be received to pleade in chiefe to the action, without taking delay by voucher, ayde prier, nonage, or other delay whatsoeuer, so that after such receipt, he shall have no delay by Protection, Essoine of the Kings service, or common essoine, but the suit shall be hastened as much as it may by the law. And dates of grace shall be giuen by discretion of the

Dates of grace

Judges,

Judges, betwixt the demandant and him which is so receiued, and not the common daies giuen in ples of lande, (except the demandant will thereunto assent) to the intent the demandant shal not be too much delayed, which must plead with two aduersaries. And he in p'recession which prayeth to be receiued, shall finde sureties for the issues of the land, as well where the receipt is counterpleaded, as where it is graunted, vt supra, &c. 13. R. 2. 16.

¶ Recordes.

The Queenes Justices before whom any misprision, or default shall be found in any records, or proces, which depend before them by way of Error, Adioznement or other wise, or in returnes, made by Sherifes, coroners, bailifes of fraunchise, or any other by misprision of the clerks of any of the said courts, or of the Sherifs, vnder Sherifs, coroners, or any other officers or clerkes, in writing of one letter or one sillable too much or too little, haue power to amend such default after their discretion, and by examination where they shal thinke good, as well after iudgement, as before iudgement, and as well after iudgement giuen vpon a verdict passed, as vpon a matter in law pleaded, and the same proces shall not bee auoided or discontinued therefore. But these statutes extend not to recordes and proces in Wales, or where proces of outlawry lyeth. 14. Ed. 3. 6. 9. H. 5. 5. 4. H. 6. 3. 8. H. 6. 15.

Justices may amend recordes.

2 For Error assigned in any record, proces, warrant of attorney, originall writte, or iudiciall panell, or returne, in any place of them raised or interlined, or in any addition, subtraction, or diminution of words, letters, titles, or parcell of writs, found in any such recordes, proces, &c. where such rasure, enterlining, addition &c. by the discretion of the Judges of the Queenes courts and places, wherein the said record and proces by writte of Error or otherwise be certified, do appeare suspicious, no iudgement or record shalbe reuerfed. And the Queenes Justices of the courtes and places, in which any record, proces, suite, plea, warrant of attorney, writ, panel, or returne, for the time being shall be: haue power to examine them, by themselves, and their Clerkes, and to amende (in affirmance of the iudgement of such records and proces) al that which in their discretion seemeth to be misprision of the Clerkes, in such recordes, proces, &c. except appeals, iudgements of treason and felony, & the outlawries thereupon, the proper names, surnames, and additions, admitted in originall writs, & writs of exigent, according to the statute of 1. H. 5. 5. & in other writs containing proclamation, so that by such misprision of the Clerke, no iudgement shalbe reuerfed nor adnulled. And if any record, proces &c. be certified defectiue, otherwise then according to that which remaineth in the treasure, courtes, or places from whence they be certified, the parties in affirmance of the iudgements, shall haue aduantage to alledge variance between the writing and the certificat, and that being

Recordes raised or interlined.

Recoveries, & falsifying of recoveries.

found and certified, the variance shalbe reformed by the said Iustices, according to the first writing. 8. H. 6. 12.

- 1 That imbesiling of a record &c. is felonie. S. Felonie 18.
- 2 That no Certiorare shalbe grated to remoue a record, except it be signed with a Iustices hand of the same court, S. Remouer &c. 1.
- 3 What imperfections in Records the court may amend after demurrer ioynd and entred and what not. S. Demurrer. 2. 3.

¶ Recoveries, and falsifying of recoveries.

The recoveries may distraine the tenants of land recovered.

If any of the Subjects do suffer any recoveries against them by the course of the common law, of any manors, lordships, landes, or tenements, for the performance of their willes, or for the surety of their wines Jointers, for the iointer of their sonnes and heires apparant, and their wines, or for any other person or persons, according to their covenantes and agreiments, the recoverers in all such recoveries, their heires, and all assignes, may distraine the fermers, freeholders, and tenants which hold of the same manors, by rentes, seruices, and customes, for the said rents, seruices and customes, being due and vnpaid, and make auowry, or iustify the same as those persons against whom the said recoverie is, should haue done, if the said recoverie had not been had, and also haue like remedie for therecovering of the said rent, seruices and custome by auowry.

Quare impedit

And also shall haue Quare impedit for an aduowson appendant to any of the saide Manours, if the same Aduowson fall voide, and any disturbance bee made, as those persons against whom the said recoveries were had, might or should haue had by the course of the common law befoze the said recoverie, if any such rentes, seruices, or customs had been denied them, or any such disturbance had been had in their times. 7. H. 8. 4.

Recovery of lands entailed wherof the reversion is in the Queene.

2 **I**f so fained recovery had by assent of parties against any tenant in taile, of any landes, tenements, or hereditaments, wherof the reversion or remainder at the time of such recoverie had, shalbe in the Queene, shall bind or conclude the heirs in taile, whether any comon voucher be had in any such fained recoverie or not. But after the death of every such tenant in taile against whom any such recoverie shalbe had, the heires in taile may enter, haue, and enioy the landes, tenements, and hereditaments so recovered, according to the forme of the gift in taile, the said recoverie or any other thing to be had, done, or suffered, by or agaynst any such tenant in taile to the contrarie notwithstanding. Tricesimo quarto Henrici octavi 20. S. the statute and the preamble, and Quare whether it is intended of all landes, wherof the reversion or remainder is by any title in the Queene, or onely of those landes which king H. 8. or any of his progenitors did giue to any person in taile.

The heire in taile shal haue

3 **T**he heires of every such tenant in taile, against whom any such fained recoverie shalbe had, shall take no aduantage for any recompence

in value against the voucher, nor his heirs. 34. H. 8. 20.

no recompence
in value.

4 **B**ut this act shall not be prejudiciall to the lessee of any such tenēt in taile made by writing indented, of any lands, tenements, or hereditaments, for terme of xxi. yerres, three lives, or vnder, whereupon the accustomed rent or more, is or shalbe reserved yerely during y^e said term, but the same lessee shall and may enjoy his terme therein against the heirs of every such tenant in taile, according to the tenor and effect of the statute made. 32. H. 8. 34. H. 8. 20. S. Leases. 1. 2.

Leases by tenant in taile, of lands whereof y^e Reuerſion is in the Queene.

5 **A**ll recoveries had or prosecuted by agreement of the parties, or by couin against any the tenants by curtesie of England, tenants in taile after possibility of issue extinct, or otherwise onely for terme of life or lives, or of estates determinable vpon life or lives, of any landes, tenements, or hereditaments, whereof the same particular tenant is, or shalbe seised of any such particular estate as is aforesaid, or against any other, with voucher ouer of any such particular tenant or of any hauing, or that had right or title to any such particular estate or tenancy, shall as against such person or persons to whom any reuerſion or remainder thereof by force of any conueiance or deuise befoze the time had or made, shall, ought, or lawfully may appertaine, and against their heirs and successors be utterly void. 14. Cl. 8.

Recoveries against particular tenants.

6 **B**ut this act shall not extend to any person or persons that shall by good title recover any lands, tenements, or hereditaments, without fraud or couin, by reason of any former right or title, but all such recoveries shall stand and be in like force as they were befoze the making of this act. 14. Cl. 8.

Recoveries by good titles.

7 **A**ll and every such recovery had of any landes, tenements, or hereditaments, by the assent and agreement of any person or persons, to whom any reuerſion or remainder thereof, then shall or ought to appertain so (that the same assent do appeare of Record in any of the M. courts &c.) shall stand in like strength, and of like effect, against such person that shall so assent, his heirs and successors, as they were befoze the making of this act. 14. Cl. 8.

Recovery by assent of him in the reuerſion or remainder.

8 **I**f any persons do make leases of their landes, tenements, or other hereditaments, by indentures or without writings, to other persons for terme of yerres, if after the same lessors, their heirs or assigns, do cause or suffer recoveries to be had against them in the M. or any other Lords court, vpon fained and vnttrue title, by craft and couin, to put y^e said termors from the termes: all such termors shall and may falsify for his terme onely such recovery, in such wise and forme, as a tenant of a freehold shall and may do by the course of the common lawe, where such tenant of freehold was neither partie nor privie to the same recovery. And the same termors, their executors and assigns notwithstanding such recovery, shall enjoy their said termes according to their said Leases,

Tenant for yerres may falsify a recovery had against him in the reuerſion.

¶ In y.

against

Redisseisin.

against all such recoverers, their heires, and assignes. And the said recoverers, their heires and assignes, after such recovery so had, shall have like remedie against the said termors, their executors and assignes by a writ, or action of debt, for the rents and services reserved upon the same leases being due after the same recoveries: and also like actions against them for wast done after the same recoveries so had, in like maner & form as the said lessours might have had, if the same recoveries had never been had, 21. H. 8. 15. Gloucester 6. C. 1. 11.

No statute of recognisance shall be avoided by any fained recovery.

9 No statute of the Staple, statute Marchant, nor execution by Elegit, shall be avoided by meanes of any such fained recoverie, but all persons having any lands, tenements, or other hereditaments in execution, or being intituled to have execution of any landes or tenementes by any such meanes, shall have like remedie to avoide and falsify & same recovery, as before is provided for the lessee for terme of yerres. 21. H. 8. 15.

1 What fines for alienation vpon writs of entrie, sued vpon common recoveries shall be paid. S. Willes 8.

2 Where a woman shall forfeit her estate for suffering a fained recoverie against her, of land which she holdeth in dower for life, in taile, &c. S. Women. 1. 2. 3. 4.

3 For recoveries and deedes inrolled in corporat townes. See women 6.

4 That such things whereupon recoveries are to bee suffered may be inrolled. S. Fines. 19. &c. 29. &c.

5 For suffering of recoveries of lands in Wales, and the Q. fine for the same. S. Wales. 21. 22.

Redisseisin.

Who shall maintaine a writ of redisseisin.

If any man be disseised of his freehold, and doth recover his seisin before the Justices in Eyre, by assise of novel disseisin, or by confession of him, which did the disseisin, and hath seisin delivered unto him by the Sherife, if the same disseisors, after the departure of the Justices, or in the meane time, do disseise the same plaintife of the same freehold, and therof be convicted, they shall be taken and kept in the D. prison. The same remedie shall they have which do recover their seisin by Assise of Mortdaucest. And the same remedie is of all landes and tenements recovered in the D. court by Juries, if they be after disseised by the first deforcisors, against whom in any maner they have recovered by Juries. Merton. 20. H. 3. 3. And they shall have remedie by writ of redisseisin which have recovered by default, reddition, or in any other maner, without recognition of Assises, or Juries, III. 2. 13. Co. 1. 26. Tenant by Elegit shall have a writ by Redisseisin III. 2. 13. Co. 1. 18. and so shall tenant by statute Marchant. 13. C. 1. De Mercatoribus.

The cause and effect of a writ of redisseisin.

2 When the plaintife cometh into the court, he shall have the D. writ directed to the Sherife, wherein shall be contained his declaration of disseisin

of disseisin done vpon disseisin. And the sherife shalbe commaunded that he (taking with him the Coroners, & other lawfull knights) shal go in his owne person to the tenement or pasture wherof the plaint is made, and that he shal make before them diligent inquirie by the first Jurors & other neighbours and lawfull men of that vicenage thereof, and if they finde him disseised againe, then they shall doe according as is aforesaid. And if it be other wise found, the plaintife shalbe amerced, and the other shall go quite, but the Sherife shall not execute any such plaint without the D. commaundement, Merton. 20. H. 3. 3.

3 ¶ In writs of Redisseisin double damages shall be awarded, and they which bee taken for Redisseisin bee not repleuisable by a common writ, nor shalbe deliuered without the D. speciall commaundement, and that vpon a fine to be made to the Quene for the offence, and if the Sherife doe deliuer them in any other sorte, he shall be grievously amerced, and they for their offence greatly punished. Marl. 52. H. 3. 8. W. 2. 13. Ed. 1. 26.

The punish-
ment for redi-
seisin.

1 That writs of Redisseisin shall be inrolled and sent yeerely vnto the Eschequer. S. Admeasurement. 2.

¶ Reliefe.

I f any Earle, Baron, or other of the Quenes tenants, which holdeth of her Grace in Capite by knights service do die, and his heire of full age, and oweth vnto the Quene reliefe, he shall haue his inheritance for the auncient reliefe, That is to say, the heire or heires of an Earle for a whole Carleedom C. li. The heire or heires of a Baron, for a whole Baronie, C. marks, The heire or heires of a knight, of a whole knights fee, C. s. at the most, and hee that hath lesse shall giue lesse, according to the auncient custome of fees. Mag. Chart. 9. H. 3. 2.

The reliefe of
an Earle, Ba-
ron & Knights
heire.

1 That an heire which hath beene in ward, shall haue his inheritance without paying reliefe. S. Wardes. 3.

2 That the heire of full age at the death of his auncester, shall only pay reliefe to his Lord. S. Wardes. 9.

¶ Rentes.

T he executors and administrators of euery tenaunt in fee simple, tenaunt in fee taile, and tenaunt for terme of life, of rent service, rent charge, & fee fermes, vnto whome any such rent or fee ferme is or shall be due, and not payed at the time of his death, shall and may haue an action of debt for all such arrerages against the tenaunt or tenauntes that ought to haue payed the same rent &c. in the life of their testator, or against the executors and administrators of the sayde tenauntes. And also furthermore it shall be lawfull to euery such executor and administrator &c. to distraine for the arrerages of all such rents, and fee fermes, vpon the landes &c. which were charged with the payment of suche rentes, and fee fermes, and chargeable to the distresse of the said testator,

A remedy for
the executors
for rents due
to their testa-
tor.

¶ m. ij.

so

Rentes.

Redemption
money in
Wales.

so long as the saide landes &c. continue in the seisin or possession of the saide tenaunt in demesne who ought immediatly to haue payed the saide rent, or fee farme, or in the seisin or possession of any other clayming the saide lands &c. onely by and from the same tenant by purchase, giste, or discent, in like maner and forme as their saide testator mought or ought to haue done in his life time, and the saide executors and administrators shall for the same distresse lawfully make auowzie vpon their matter as foresaide. But this acte shall not extende to any such mannor, lordship, or dominion in Wales, or in the marches of the same, whereof the inhabitantes haue bled time out of minde of a man to pay vnto every Lord, and owner thereof at his first entrie into the same, any summe of money for the redemption, and discharge of all dueties, forfeitures, and penalties, wherewith the saide inhabitantes were chargeable to any of their said Lordes auncestors or predecessors, before their said entrie. An. 32. H. 8. 37.

The husbands
remedy for rent
due in the life
of his wife.

2 ¶ If any man hauing in the right of his wife any estate in fee simple, fee taile, or for terme of life, or, or in any rents, or fee fermes, and the same be due and vn timer in the said wiues life, then the saide husband after the death of his said wife, his executors and administrators, shall haue an action of debt for the said arrearages, against the tenant of the saide demesne that ought to haue paid y same, his executors, or administrators. And also the said husband after the death of his saide wife, may distraine for the said arrearages, in like maner as he might haue done, if his saide wife had bene then liuing, and make auowzie vpon his matter, as is aforesaide. 32. H. 8. 37.

The remedy
for a rent the
estate whereof
dependeth vpon
another's
life being dead.

3 ¶ If any person which shall haue any rentes, or fee fermes for terme of life or liues, or any other person or persons, and the saide rent or fee ferme shall be due and vn timer in the life of such person, or persons, for whose life or liues the estate of the same did depende or continue, and after the saide person or persons doe die, then he vnto whome the saide rent or fee ferme was due, his executors and administrators, shall and may haue an action of debt against the tenant in demesne that ought to haue paid the same when it was first due, his executors and administrators, And also distraine for the same arrearages vpon such lands and tenementes out of the which the saide rentes or fee fermes were issuing, in such like maner, as he ought or might haue done, if such person or persons (by whose death the aforesaide estate in the saide rentes and fee fermes was determined) had bene in ful life and not dead, and the auowzie for the taking of the same distress shalbe made in maner and forme aforesaide. 32. H. 8. 37.

1 That Alsife of rent issuing forth of tenements in seuerall Countie, shalbe holden in the borders of the same Countie. S. Alsife. 7.

22 How mesne Lords shalbe answered their chiefe rents due to the during

during the minoritie of the Queenes warde. See Wardes. 7.

¶ Remouing of persons, or Records.

NO writs of Habeas corpus, or Cerciorari, shall be graunted to remoue any prisoner out of any gale, or to remoue any recognisance, except the same writs be signed with the proper hands of the chief Justice, or in his absence of one of the Justices of the Court, out of the which the same writs shall be awarded, vpon paine that he that writeth any suche writs, not being signed as is aforesaide, to forfeit to the D. for euery such writ. b. li. 1. & 2. P. 4 P. 13.

A writ to remoue prisoners or Records.

2 ¶ The Justices of the kings bench (for the time being) haue authoritie by their discretions, to demaunde and send downe aswell the bodies of all felons and murderers remoued or brought before the Quene in her bench, as in their indictments, into the Countie whereas the same murders or felonies haue bene committed and to commaunde all Justices of gaole deliuerie, Justices of peace, and all other Justices and commissioners, and euery of them, to proceede and determine vpon all the foresaide bodies and indictments so remoued, after the course of the common law, in such maner, as the same Justices of gaole deliuerie, Justices of peace, and other commissioners or any of them mought or should haue done, if the said prisoners or indimentes had neuer bene brought into the saide kings bench. An. 6. H. 8. 6.

Remaunding of prisoners out of the kings bench into the countie to be tried.

1 Where the body of one in execution being remoued by Corp^o cum causa, shall be remaunded, S. Corpus &c. 1.

2 For the remouing of a Repleg. out of the Countie by Recordare. S. Repleuin 2.

¶ Repleuine.

If any mans cattell be taken, and wrongfully withholden, the sherife after complaint to him made, may deliuer them without any let or contradiction of him that toke the cattell, if they were taken out of liberties, and if the cattell were taken within any liberties, and the baylifes of the liberties will not deliuer them, then the sherife for default of those bailifes shall cause them to be deliuered. Marleb. 52. H. 3. 21.

¶ Tho shall repleuie a distres

2 ¶ If any Lordes doe constraîne their tenaunts for any seruices or customes being due vnto them, and the tenants doe repleuie the distresse by writ, or without writ, and the Lords (at the complaint of the tenants) doe by attachment come to the Countie, or other Court hauing power to hold plea De verito namio, and doe auowe their distresse reasonable and iust, if the tenants doe disauowe to hold, or doe claime to holde nothing of him which toke the distres, if such Lords in h^e Countie or other Courts cannot obtaine Justice of their tenants but shall be amerced, and their tenants discharged, for that they cannot be punished for the same disauowing by recorde of that Countie, or other Courts, hauing no recorde was sone as they shall be attached at their tenants suit, a writ shall be graunted

Recordare.

unto them to remove the suit before the Justices before whom (and not else where) Justice shalbe ministered to such Lordes, and the cause shalbe declared in the writ (because such a man hath distrained in his fee for service and customes due unto him) yet this statute is no derogation to the lawe commonly used, which doth not suffer any plea to bee removed at the suit of the defendant. For though at the first shew the tenant seemeth to be plaintiffe, and the lord defendant, yet having respect to that the lord doth distraine and sue for his services and customes behinde, he shall rather appeare plaintiffe then defendant. West. 2. 13. Ed. 1. 2.

Pledges to prosecute the suit, and to make returne.

3 ¶ Least that after the tennant hath repleued his beastes, hee should sell them, or drive them farre off, whereby the Lord which distraineth can not have returne if it be adjudged for him, the Sherife or his Bailifes shall not take of the plaintifes, pledges onely to prosecute their suite before they made deliverance of their beastes, but also to returne them, if returne be awarded. And if any doe take pledges in other sort, he shall answer the price of his cattell, and the lord which distraineth shall have his recovery by writ, that he shall deliver him so many beastes or cattell, and if the bailife have not wherewith to satisfie, his lord shall pay it. West. 2. 13. Ed. 1. 2.

A distress taken upon a suit commenced by procurement of others.

4 ¶ If the Lordes of Courtes, or other Court holders or Stewarδες willing to trouble those which bee in subjection unto them, having no lawfull cause or meanes to griene them, will procure others to commence suites against them, and to give gages, offer pledges, or purchase writs, and at the suites of such plaintifes will cause them to resort unto the Countie, hundred, wapentake, and other Courtes untill they have payed them a fine, according to their owne request, which is not lawfull to be done: Therefore in this case if any man be attached by any such false complaints, he shall replew his distresse so taken, and remove the suite before the Justices, before whom if the Sherife, or any other Bailife or lord (after the partie so distrained hath framed his complaint) will avowe the distresse iust by reason of any such complaints before them made. And if it be replied, that the same complaints were maliciously moved against them at the instance or procurement of the Sherife or other Bailife or Lordes, the replication shall be admitted, and if they be therupon convicted, they shal pay a greivous amerçiamēt to the Quene, and answer to the partie grievd treble dammages. West. 2. 13. Ed. 1. 37. S. Auowrie.

1 How many deputies every Sherife shall ordaine to make Repleuies, and where. S. Sherifes. 22.

2 Where the Sherife shal dire his precept to the bailife of a libertie, and where he himselfe shall repleue a distresse. S. Shyrifes. 30.

3 In what case an Accomptant is not repleuizable. S. Accompt. 2.

If any Felon or Felons doe robbe or take away any money, goods or cattels, from any of the Quenes subiectes, from their person, or otherwise within this Realme, and thereof be indicted, and after arraigned of the same felony, and found guilty thereof, or otherwise attainted by reason of euidence given by the partie so robbed, or owner of the saide money, goods, or cattels, or by any other by their procurement, then the partie so robbed or owner shalbe restored to his saide money, goods, and cattels. And as well the Iustices of gaole deliuerie, as other Iustices before whome any such Felon shall be found guiltie, or otherwise attainted by any of the meanes aforesaide, haue power to awarde from time to time, writs of restitution for the saide money, goods, and cattels, in like maner, as though any such Felon were attainted at the suit of the party in appeale. 2 I. H. 8. 11.

Restitution of
stollē goods, af-
ter the attain-
der of the felon.

¶ Returne of Sherifes.

They which doe feare the indirect dealing of Sherifes, may deliuer their originall and iudiciall writs in the open Countie, or in some other place of the shire, where collection of the Quenes money is made, and make take a bill of the Sherife or undersherife, being present, in which shall be contayned the names of the demandants and tenants named in the writ, and upon his request which deliuered the writ, the Sherife or undersherifes seale shall be put to the bill for a witnesse (without any thing taking therofore 2. Ed. 3. 5.) And mention shalbe made of the day of the deliuerance of the writ. And if the Sherife or undersherife will not put his seale to the same bill, witnesse shall be taken of knights and other credible persons which be present, the which shall put their seales to the same bill, and if the Sherife will not returne writs deliuered vnto him, and thereupon complaint be made to the Iustices, a Iudiciall writ shall be directed to the Iustices of assise, that they shall enquire by those that were present when the writ was deliuered vnto the Sherife, if they know of the deliuerance, which inquisition shall be returned. And if it be found thereby, that the writ was deliuered vnto him, damages shall be awarded to the plaintife or demandant, hauing respecte to the quantitie and qualitie of the action, and to the perill which might haue chaunced vnto him by the delay which he suffered. (And also the Iustices of assise haue power to enquire thereof at every mans complaint, and to awarde damages vt supra 2. Ed. 3. 5.) And by this meane remedie shalbe had when the Sherife doth returne that the writ came too late, whereby he could not execute the Quenes commaundement. West. 2. 13. Ed. 1. 39. S. Sherifes. 10. That every Sherife shal make a deputie in the Chauncery, Kings Bench, Common place, and Exchequer, to receiue all writs and warrants to be deliuered vnto them.

The maner
how writs
shall be deliue-
red to be exe-
cuted.

Deputies to
receiue writs.

¶ If the Sherife doe returne, that he hath commaunded the Bailiffs of some libertie, which did nothing therein (where in deede there is

Returning of
a libertie
where none is.

Returne of Sherifes.

no such libertie within that Countie, which ever had returne of writtes,) then the Sherife shall be punished as a disinheritor of the Queene and her crowne. West. 2. 13. Ed. 1. 39.

Precept directed to the bailiffes of a libertie.

3 ¶ If the Sherife doth returne, that he hath directed his precept to the bailiffes of some libertie (which indere haue returne of writs) which did nothing therein, then the Sherife shall be commaunded, that he shall not omit for any libertie aforesaide, but shall execute the Quenes commandement, & that he shall warne the bailiffes to whom he returned the writ, that they shall appeare at a day contained in the writ, to aunswere why they did not execute the Quenes precept. And if they doe appeare at the day, and do acquit themselves, that the writ was not returned vnto them the Sherife shalbe forthwith condemned to the Lorde of the same libertie, and likewise to the partie grieved by the delay, to restore him damages. But if the bailiffes do not appeare, or doe appeare, and do not acquit themselves in form aforesaid, in every iudicial writ so long as that suite dependeth, the Sherife shalbe commanded, that he spare for no libertie &c. West. 2. 13. Ed. 1. 39.

Non omittas propter aliquam libertatem.

Returning of issues.

4 ¶ If the Sherife do returne no issues, or small issues, where he may returne greater, if the Plaintife will desire to heare the Sherifes return, he shall, and if he wil offer to proue that the Sherife mought haue returned greater issues to the Queene, hee shall haue a iudiciall writte to the Iustices of assise, that they shall enquire in the presence of the Sherife (if he will be present) of what, and how great issues the Sherife might haue made his return, from the day of the writ purchased, vnto the day contained in the writ (videlicet of the returne thereof) and when the inquisition is returned, if he hath not fully answered before, he shalbe charged with the ouerplus, by the estrets of the Iustices delivered into the Eschequer, and neuerthelesse shalbe grievously amerced. And the Sherife ought to know that rent, Cozne in grange, and all mouables, besides horse, apparel and household stufte are contained vnder the name of issues. Westminster. 2. 13. Ed. 1. 39.

That he issues Resistance in executing the Quenes writs.

5 ¶ The Sherife ought not to returne that hee could not execute the Quenes Precept, by resistance of the power of any Noble man, for that returne tendeth to the dishonour of the Queene and her Crowne, for as soone as his Underbailiffes doe testify that they founde suche resistance, the Sherife forthwith (all busines set apart, taking with him the power of his Countie) shall goe in his owne Person to doe execution, and if he finde his underbailiffes false, he shall imprison them (that other men may be warned by their punishment.) And if he find them true, he shall imprison the resistors, from which prison they shall not be delivered, without the Quens speciall commandement. And if the Sherif at his coming do find such resistance, he shall certify the Court of the names of the resistors, their aidors, consentors, commaunders, and fauourers, which

which shalbe attached by a iudiciall writ, to appeare at the *N. Court*, and if they be convicted of such resistance, they shalbe punished at the *Queens* pleasure. But no officer of the *Queens* shall meddle in assigning of the foresaid punishment, for the *Queene* onely shall doe it, for such resistors are disturbers of her peace and realme. *West. 2. 13. Cl. 1. 39.*

6 ¶ There shall be an Indenture made betwixt the Bailife of the *Franchise*, which hath full returne of writtes by his proper name, and the *Sherife* his proper name, of every returne which the Bailife of any such *Franchise* shal make to the *Sherife*. And if the *Sherife* do change the returne so deliuered vnto him by Indenture, and thereof be attainted at the suite of the *Lord* of the same *Franchise*, from whence he hath receiued the said returne (if the *Lord* haue receiued any dammage, or if his *Franchises* be impaired) and at the suite of the partie which hath receiued losse by this means, he shalbe punished by the *Queen* for his false returne, and also shall yeeld to the *Lord* and the party double dammages. *Stat. Eborum. 12. Ed. 1.*

Indenture betwixt the *Sherife* and the Bailife of *Franchise* of every return

7 ¶ *Sherifes* and other *Bailifes* which receiue the *Queenes* writs, returnable into her Court, shall put their owne names to the returns, so that the Court may know of whom they take such returns, if neede be, and if any *Sherife* or other *Bailife* doe leaue out his name in his returne, he shall bee grievously amerced to the *Queenes* vse. *Stat. Eborum. 12. Ed. 1. 5.*

Sherifes and *Bailifes* shal put their names to returns.

8 ¶ A man shall haue auerement against the false returnes of *Bailifes* of *Franchises*, which haue full returne of writtes and recouer as well against them, as against the *Sherife* as well of smal issues returned, as in other cases, so that it be not prejudiciall to the *Lords*, nor to the impairing of their *Franchises*, for the punishment shall fall onely vpon the *Bailifes* by the punishment of their bodies if they haue not whereof to answer. *1. C. 3. 6.*

Auerment against the returne of *Bailifes*.

9 ¶ If any *Sherife*, or other hauing authoritie to returne writtes doth make an vntrue returne vpon any *Capias*, in a writ of *Excommunication* to capiendo to him directed, that the party named in the writ hath not yeelded his bodie vpon any *Proclamation* made, where in deede hee hath yeelded himselfe according to the effect thereof, he shall forfait to the partie grieved *xl. li.* to be rec. by action, bill, plaint, wherein no *W. C. P. 4c. 5. Cl. 23.*

Excommunicato capiendo.

10 ¶ If the *Sherife* of any *Shire* in *Wales*, in the County palatine of *Lancaster* or *Chester*, or of the Citie of *Chester*, doth returne a writ of *Proclamation* after a writte of *Exigent* awarded against any person, and doth not make returne thereof into the Court out of the which the said writ of *Proclamation* shall be awarded, he shall forfeit *xl. li.* to the *Queene* and *3. l.* to be recouered by *A. of debt*, wherein no *W. C. P. 4c. 1. Ed. 6. 10. 5. Ed. 6. 20. S. Exigent 8.*

Writs of *proclamation* in *Wales*, *Lancaster*, *Chester*.

Riots, Routs, vnlawfull assemblies.

Returne vpon
information,
for giuing of
liueries.

11 ¶ Upon any bill, information, or action exhibited or sued against any person being sufficient, vpon the statute provided 8. Ed. 4. for giuing of liueries or badges, or vnlawfull retaining, if the Sherife or Coroner doe returne any lesse issues vpon the defendant then xx. s. at the first day of the distresse, at the second day xxx. s. at the third day xl. s. and so at euery after 1. moze, he shall for. for every returne made against the forme aforesaid xx. s. 8. Ed. 4. 2. S. Sherifes.

Amerciament
of sherifes for
insufficient
returnes.

12 ¶ The chiefe officer or officers of enery of the Quenes Countes of reuenu, being of Record, or that shalbe of record, shall haue authoritie to let and asseste reasonable fines and americiaments vpon any sherife or sherifes for not returning or misreturning of any writ to them directed & deliuered out of any of the same Courts, concerning the leuying or auinswering of any of the said issues, rents, or reuenues, or of any debt due to the Q. in such sort and after such maner and forme, as now is, or heretofore hath been lawfully used in the like, & such other cases in the Quenes Court of the Eschequer. 7. Ed. 6. 1.

1 What Iurors, and of what sufficiency, the sherife in seuerall cases shall returne, & vpon what paine. S. Iurors. 12. 13. 14. 16. 19. 20.

¶ Riots, Routs, vnlawfull assemblies.

The Iustices
& sherifes shall
arrest those
which commit
ryots.

1 ¶ If any Riot, Assembly, or Rout of people, against the lawe bee made in any part of the Realme, the Iustices of peace, thre or two of them at the least, and the Sherife, or vndersherife of the shire where such Riot, assembly, or rout shalbe made, shall come with the power of the Countie (if neede be) to arrest them, and shal arrest them. And the same Iustices & sherifes, or vndersherifes, haue power to recorde that which they shall finde done in their presence against the lawe, & the same offenders shalbe conuict by the record of the same Iustices, Sherife, or vndersherife, in maner and forme as is contained in the statute of Forcible entries. 17. H. 2. 8. 13. H. 4. 7. S. Forcible entrie 2.

Enquire of
Riot.

2 ¶ If it happen that such offenders be departed before the comming of the said Iustices and sherife, or vndersherife, the same Iustices thre or two of them, shall diligently enquire within a moneth after such Riot, assembly, or rout of people so made, and the same shall heare and determine according to the law of this Realme. 13. H. 4. 7.

Certifying of
the ryot to the
Quene & her
Counsell.

3 ¶ If the truth cannot be founde in maner aforesaid, then within a moneth next after, the same Iustices thre or two of them, and the said Sherife or vndersherife, shall certifie the Quene and her Counsell of the whole fact, and the circumstances thereof, which certificat shalbe of the same force that a presentment by 12. men is, vpon which certificat the said offender shalbe put to answere, and they which shalbe found guilty, shal be punished by the discretion of the Quene and her Counsell. And if the same offenders doe trauesse the matter so certified, the same certificate and trauesse shalbe sent into the kings bench, there to be tried and determined.

Trauesse of
the certificat.

mined according to the order of the law. 13. H. 4. 7.

4 **I**f the same trespassors and offenders do not come before the **N.** and her Counsell, or into the kinges Bench at the first precept, then an other precept shalbe directed to the Sherife of the Shire to take them if they may be found, and to bring them at a certaine day before the Queene and her counsell, or into the kinges bench. And if they cannot be found, the Sherife or vnder Sherife shal make proclamation in his full countie next ensuing the delinerie of the said second precept, that they shall appeare before the **N.** and her counsel, or in the kinges bench (or in the chauncery in y^e time of vacation) within three weeks then next following. And if the offenders doe not appeare, and the Proclamation be made and returned, they shall bee attainted and convicted of the riot, assembly, and rout aforesaid. 13. H. 4. 7.

Processe against the offenders.

5 **T**he Justices of peace which dwell nearest in every county where such riot of people shalbe, together with the Sherife, or vnder Sherife of the same countie. And also the Justices of assise, for the time that they shalbe in their Sessions (in case any such riot, assembly or rout be made in their presence) shal do execution of this statute, everie one vpon paine of **C. li.** to be paid to the **N.** as often as they shall be found in default of execution of the same statute. 13. H. 4. 7.

The for. of the Justices which do not execute this statute.

6 **I**f default be found in the said two Justices of peace, or Justices of assise, and the Sherife or vnder Sherife of the countie where such riot, assembly, or rout shalbe made, touching the execution that they ought to make by vertue of the said statute: then at the instance of the partie grieved, the Queenes commission shall goe out vnder the great seale, to enquire as well of the truth of the case, and of the originall matter for the party complainant, as of the default or defaultes of the said Justices, Sherife, or vnder Sherife in this behalfe supposed, to be directed to sufficient and indifferent persons, at the nomination and by the aduice of the Chaunceloz of Englande. And the saide Commissioners incontinent shall sende into the Chauncerie the enquestes and matters before them in this behalfe taken and found. 2. H. 5. 8.

Commissioners to enquire of Justices and Sherifs default.

7 **T**he Coroners of the same Countie in which such riot, assembly, or rout shall be made, shall make the pannell vpon the said Commission, returnable, for the time that the Sherife so supposed in default shal remaine in his office, which Coroners shall returne no persons, but only such which haue landes, tenementes, or rentes, to the value of **x. li.** by the yere at the least. And also the same Coroners shall returne vpon euery of the said persons enpannelled at the first day, when issues be to bee took **xx. s.** at the least, at the second day **xl. s.** at the least, and at the thirde day **C. s.** at the least, and at euery day after, the double at the least, which issues so returned because of non apparance of such persons impanelled, shalbe for. to the Queene. And if default be found in the said Coroners touching

Upon the commission the coroner shall returne the Jury.

touching the returne of such persons to be impanelled, or touching the returne of such issues, as afoze is said, every of them shal pay to the Quene xli. 2. H. 5. 8.

Where the Sheriffe and not the Coroners shal returne a jury.

8 ¶ And if the said Sheriffe so reputed in default, be discharged of his office at the time that such commission shall go out of the Chauncerie, then the new Sheriffe of the same Countie, his successor, mediate or immediat, and not the Coroners, shal make the panell upon this commission, returnable in maner & forme, as the said Coroners should do in time when the Sheriffe so reputed in default stode in his office. And the same new Sheriffe shal incurre like paine of xli. li. to the Quene if any default in him be found, touching the returne of other persons by him enpanelled, which have not lands or rents, to the value of xli. by yeere, or of returning such issues as the said Coroners be aboue charged to returne, as the said Coroners be to lose to the Quene. 2. H. 5. 8.

A writ directed to enquire of riots.

9 ¶ The Chauncelloz of Englande, as soone as he may have knowledge of such Riote, assembly, or rout, shall cause to be sent the Quenes writ to the Justices of peace, & to the Sheriffe, or undersheriffe of the countie where they be so made, that they shal put the foresaide statute of 13. H. 4. in execution, upon the paine contained in the same. And though that such writ come not to the said Justices, Sheriffe, or undersheriffe, they shal not be excused of the paine aforesaide, if they make not execution of the said statute. 2. H. 5. 8.

Riots shal be repressed & enquired of at the Quenes costes.

10 ¶ The Justices and other officers aforesaid, shall do their offices aforesaid, at the Quenes costes, in going, tarrying, and returning, in doing their said offices, by payment thereof to be made by the Sheriffe of the same countie for the time being, by Indentures betwixt him & the same Justices, and other officers aforesaid, to be made of the payment aforesaid, wherof the said Sheriffe upon his accompt in the Exchequer, shal have due allowance. 2. H. 5. 8.

The punishment of riots.

11 ¶ Such riotors attainted of great and hainous riots, shal have one whole yeeres imprisonment at the least, without being let out of prison by baile, mainprise, or in any other maner during the yeere aforesaid, and the riotors attainted of petite riots, shal have imprisonment as the Quene and her Counsell shal thinke good. 2. H. 5. 8.

Each man shal help to repress riots.

12 ¶ The Quenes liege people being able to travell in the countie where such riots, assemblies, or routs be, shalbe assistant to the Justices, commissioners, Sheriffe, or undersheriffe of the same countie, when they shalbe reasonably warned, to ride with the said Justices, Sheriffe &c. in aide to resist such riots, routs, and assemblies, upon paine of imprisonment, and to make fine and ransom to the Quene. 2. H. 5. 8.

Ballifes of Franchises.

13 ¶ The Ballifes of Franchises shal impanel sufficient people as before, upon paine to lose to the Quene xli. li. in case that such sufficient persons may be founde within the saide franchises. And like ordinaunces and

and paines shall holde place and take effect in Citie, Boroughes, and other places and townes enfranchised, which haue Iustices of peace with, in them. 2. H. 5. 8.

Riots in cities
& townes cor-
porat.

14 **C** If any riot, rout, or vnlawfull assembly be committed within this Realme, the Sherife hauing a Wrecept directed to him, shall returne xxij. persons dwelling within the shire, where such Riot &c. shall be so committed, whereof euery of them shall haue landes & tenements within the same shire, to the p̄erely value of xx. s. of charter land, or freehold, or xxij. s. viij. d. of copy hold, or of both, aboue all charges, for to enquire of the said riot &c. And he shall returne vpon euery person so by him impanelled in issues at the first day xx. s. at the second xl. s. (if that they appeare not and be sworne to enquire of the p̄misses at the first day.) And if default be found in the Sherife or vnder Sherife for returning of other persons not being of the said sufficiency, or for not returning issues in soyme aforesaide, then the saide Sherife shall forfeite to the Quene for eyther. xx. li. 19. H. 7. 13.

A Jury to en-
quire of riots.

15 **C** If the said riot, rout, or vnlawfull assembly be not found by the said Jury, by reason of any maintenance or embazeric of the said Jurors, then the same Iustices, & the Sherife or vnder Sherife, (besides such certificate that they be bound to make according to the foresaid statute of 13. H. 4.) shall in the same certificat certifie the names of the mainteinors and embazecors in that behalfe (if any be) with their misdoemeanors that they know, vpon paine of euery of the said Iustices & vnder Sherifes, to forfe. xx. li. if they haue no reasonable excuse, for not certifying of the same, which certificat so made shalbe of like force and effect in the lawe, as if the matter contained in the same were duely found by the verdict of xij. men, and euery person duely proued to be a mainteinor or embazecor of the same, shall forfe. to the Quene xx. li. and shalbe committed to ward, there to remaine by the discretion of the Iustices. 19. H. 7. 13.

Maintenance
whereby a riot
is not found
by the Jury.

The punish-
ment of the
mainteinors &
embazecors.

16 **C** If any persons to the number of twelue, or aboue, being assembled together, shall intende, goe about, practise, or put in vze with force of armes vnlawfully, and of their owne authoritie, to change any lawes made or established for religion by authoritie of Parliament which stand in force, or any other lawes or estatutes of this Realme, the same number being commaunded or required by the Sherife of the shire, or by any Iustice of peace of the same shire, or by the Maior, Sherife, Iustices of peace, or Bailifes of any Citie, Borough, or Towne corporate, where any such assemblies shall be vnlawfully had or made, by proclamation in the Quenes name, to retire and repaire to their owne houses and habitations, or places from whence they came: And they or any of them which notwithstanding such proclamation, shall continue together by the space of one whole houre after such comendement or request made by Proclamation, or after that shall willingly in forcible and riotous maner

xiij. or aboue
assembled to
change any
lawes.

Riots, Routs, Vnlawful assemblies.

maner attempt to do, or put in vse any the thinges above specified, then as well euery such abode or continuing together, as euery such acte or offence, that euery such commaundement or request by Proclamation shal be attempted to be done, any persons being of the number aforesaid, shall be iudged felonie in all and singuler those persons that so shal continue together, or shall attempt or commit any such act. And the offenders therein shalbe adiudged felons, and shall suffer onely execution of death, as in case of felony. 1. 2. 1. 1. Cl. 17.

Practising to
destroy parkes,
ponds, con-
duits.

Common of
way.

Destruction of
Deere, comes,
done houses,
fish.

Putting down
houses, bur-
ning stacks of
corne, abating
of rents.

17 **¶** If any persons to the said number of xij. or above, shal intend, goe about, practise, or put in vse, in maner & form aforesaid, to ouerthrow, cut, breake, cast downe, or dig by the pales, hedges, ditches, or other inclosure of any parke or other ground inclosed, or the banks of a fish pond, or pole, or any Condit for water, Condit heads, or Condit pipes hauing course of water, to the intent that any of the same from thenceforth should remaine open, not inclosed, or void, or vnlawfully to haue common or way in the said parke or other ground inclosed, or in any of them, or to destroy the Deere in any Parke, or any Warren of Connies, or any Done-houses, or any fish in any fish pond, or pole, or to pull or cut downe any houses, barnes, milles, or bates, or to burne any stacks of corne, or to abate or diminish the rents, or perely value of any landes or tenements, or the price of any victuall, corne or graine, or any other thing vsuall for the sustenance of men, and being required or commaunded by any Iustice of peate, or by the Sheriffe of the Countie, or by the Iustice, Balise or ballifs, or other head officers of any Citie, or to wne corporat, where such assembly shalbe had, by proclamation to be made in the Queenes name, to returne in peaceable maner, to their places and houses from whence they came, & they or any of them (notwithstanding such proclamation) shal remaine and make their continuance together by the space of one whole houre after such commaundement or request made by proclamation, or after that shall in forcible maner do or put in vse any of the things last before mencioned: then as well euery such continuing together, as euery such act that after such commaundement or request by proclamation made, shall bee done, practised or put in vse, by any persons beeing above the number of xij. shalbe adiudged felony, and the offenders therein shalbe adiudged felons, and shall suffer onely the execution of death, as in case of felony. 1. 2. 1. 1. Cl. 17.

Raising of vn-
lawful assem-
blyes by soun-
des of wordes.

18 **¶** If any person or persons, vnlawfully, and without authoritie by ringing of any belles, sounding of any trumpet, drumme, horne or other instrument, or by fiering of any Beacon, or by malicious speaking or uttering of any wordes, or making any outcry, or by setting by, or casting of any Ball or wristing, or by any other act, shall raise or cause to be raised or assembled any persons to the number of xij. or above, to the intent that they shoulde do or put in vse any of the thinges above mencioned, and

and that the persons to the number of twelve or above, so raised and assembled, after request or commandement had or given, in forme aforesaid, shall continue together, as is aforesaid, or unlawfully and in forcible manner commit or put in bye any of the things aforesaid: Then all and singular persons by whose speaking, act or any other the meanes above specified, any persons to the number of twelve or above, shall be raised or assembled for the doing, or putting in bye any of the things above mentioned, shall be adjudged for his so speaking or doing, a felon, and shall suffer execution of death, as in case of felony. 1. P. 12. 1. Cl. 17.

19 ¶ If any wife or servant of any of the same persons, or any other person whatsoever, shall willingly and without compulsion, bring, send, deliver or convey, any money, harnesse, artillery, weapon, meat, bread, drink, or other victual, to any person or persons so being assembled, as is aforesaid, during such time as he or they shall so be together: Then every wife, servant, or other person so bringing or conveying &c. any of the aforesaid things to the same persons so assembled, or to any of them, and not departing to their dwelling places upon request, or commandement made unto them as is aforesaid, shall be adjudged a felon. 1. P. 12. 1. Cl. 17.

Relieving the which be assembled.

20 ¶ If any persons above the number of two, and under the number of twelve, being assembled together, shall intend, practise, or put in bye with force of armes, unlawfully, and of their owne authority to murder or slay any of the Queenes subjects, or to overthrow, cut, breake, or cast downe, or dig up the pales, hedges, ditches, wall, or other closure of any parke or other ground inclosed, or the banke of any fish pond, or poole, to the intent that the same, or any of them from thenceforth should remaine open not inclosed, or hold, or to have common or way in any of the same parks or grounds inclosed, or to destroy any parke or fish pond, or poole, or any warren of conies, or any dove houses, or to pull, or cut downe any house, barne, mill, or to burne any stacks of coyne, or to alter, defalke, or abate the rents, or percell value of any lands of any the Queenes subjects, or the price of any victual, coyne, or graine, or any other thing usual for the sustenance or apparell of men, and being required or commanded by any Justice of peace, or the shiriffe of the countie, or by any Mayor, Bailiffe, Bailife, or other head officer of any citie, or towne corporate, where such assemblee shall be had, by Proclamation to be made in the Queenes name, to returne to their habitations, and they so required, shall not so doe, but after that shall in forcible manner in forme aforesaid, attempt to doe, or put in bye any of the things last above mentioned: Then every of the same persons being above two, and under twelve, shall suffer imprisonment by the space of one yeere without baile or mainprie. And also if any person shall be dammished or hurt by the committing of any unlawfull thing above mentioned, then he shall recover & have damages with the costs of his suite sustained in that behalfs trebled against the offenders therein. 1. P. 12. 1. Cl. 17.

Unlawfull assemblies as above two and under twelve.

relieving the which be assembled.

The parties grieved shall recover treble damages.

Riottes, &c.

Raising of power to suppress unlawful assemblies.

21 ¶ If any persons above the number of ii. shall be unlawfully and of their owne authoritie assembled together, to the intent with force & armes, to doe, practise, or put in we, any of the things above mentioned, then it shall be lawfull to euery Iustice of peace, and to euery Sherife in any Countie being within the Queenes dominions, and to euery Maior, bailife, and other head officer of any Citie or Towne corporate, for the time he shall be in office, or any other person or persons hauing the Queenes commission or letters from her highnesse, as well to raise and assemble the Queenes loving subiects in maner of warre to be arrayed, in such great number, as hee or they then shall thinke meete or able, to the intent by violence and strength to suppress and take the saide persons that so shall be unlawfully assembled, And if the said persons so unlawfully assembled, after such commandement or request by Proclamation made, shall continue together, and not endeavour themselves to returne towards their houses or places from whence they came, in such short time as they may conveniently: Then it shall be lawfull to euery Iustice of peace, Sherife, and also euery Maior, Bailife, and other head Officer of any Citie, or Towne corporate, and to euery other person hauing authoritie as is aforesaid, after such commandement or request by Proclamation made, or to such persons as shall be assembled with any Iustice of Peace, or Sherife, or with any Maior, Bailife, or other head Officer of any Citie or Towne corporate, and with euery other person hauing authoritie, as is aforesaid, to suppress and take those persons so assembled, which after such Proclamation made, shall continue together and not endeavour themselves to returne towards their habitations, &c. And if the saide persons so unlawfully assembled, or any of them shall fortune to be killed, maimed, or hurt, in or about the suppressing or taking of them, then euery Iustice, Sherife, Maior, &c. and euery other person hauing authoritie as is aforesaid, and all and singular persons by him or them assembled, shall be discharged and unpunishable, as well against the Queene, as against euery other person, concerning the killing, mayming, and hurting of any person so unlawfully assembled, that shall be killed, &c. 1. P. 12. 1. Ch. 17.

Coptholder being required refuseth to serue the Q.

22 ¶ Euery Coptholder, or customary holder being peoman, artificer, husbandman, or laborer, and being of the age of xviij. yerres or more, and vnder the age of lx. yerres, not sicke, impotent, lame, maimed, ne hauing any other iust or reasonable excuse, or cause to the contrarie, and being required by the Sherife, Iustice of peace, or other hauing authoritie by this act, or by commission or letters &c. they declaring their said authoritie, or being required by the immediate Lord or Lords, of whom such copie or customarie holdes then shall be holden to serue the Queene for any the causes about rehearsed, and refuse so to doe, shall (onely during the life of such person so refusing) forfeite to his Lord or Lords of whome such copie or customarie holdes then shall be immediatly holden, and should be holden during the life of such person, in case he had not so refused, all his copie and customarie holds.

holdes. And it shal be lawfull to every such Lord &c. his heires or assignes, of whome such copy or customarie holdes shalbe immediatly holden, and should have bene holden in case that such person had not so refused, to enter and take into his possession all such copie and customarie holdes so holden of him immediatly, and to retaine the same during onely the life of every such offendor, in such maner as he should have had the rentes or service of such copie and customarie holde, in case such person had not refused. 1. P. 12. 1. Cl. 17.

13. ¶ Every Farmor being a peoman, Husbandman, artificer, or laborer, and being of the age of xviii. yeres or moze, and vnder the age of lx. yeres, not sick, impotent, lame, maimed, ne hauing any other reasonable excuse, and being required by the Sherife, Iustice of peace, or other hauing authoritie by this act, or by Commission, or letters, &c. they declaring their said authoritie, or being required by his Landlord or Landlords to whome the rents of such Farmes shal be then comming to serue the Queene for any the causes aboue rehearsed, and refuse so to doe, shall (during onely the life of such farmor so refusing) forfait to such Landlord or Landlords, as should have had the rent of such farmor during the life of such person so refusing, all his said Farmes. And it shall bee lawfull to every such Landlord &c. his heires and assignes, to whome the rent of such Farmes should have bene due during the life of such person (in case he had not refused) to enter and take into his handes all such farmes, and to retaine the same during onely the life of every such offendor. But after the death, expiration, or determination of the interest or terme of yeres of every such copy holder, customary holder or farmor, as so shall offend and forfait &c. then every such person as ought to have had the same after, or by the death, expiration, or determination of the interest, or for terme of yeres of such copy holder, customary holder or farmor, in case he had not so offend, ne forfeited, shall and may haue the same copyholdes, customary holdes, and farmes by entree, action, admission or otherwise, in like maner and condition, and by such meanes, as every of them should or ought to haue had, if no such forfeiture or offence had bene committed. 1. P. 12. 1. Cl. 17.

A farmour required refused to serue.

14. ¶ If any person shalbe spoken vnto, mooued or stirred to make any commotion, insurrection, or unlawful assembly for any of the intents aboue mentioned, and doe not within xliiii. houres next after he shalbe spoken vnto, mooued, or stirred (vnlesse he haue good reasonable cause of excuse) declare the same vnto one Iustice of the Peace or Sherrife of the said countie, or to the Mayor, Sherrifes, Bailifes, or other head officers of any Citie, or Towne corporat, where such motion, &c. shalbe had, he shall suffer imprisonment by the space of three moneths without baile or mainprie, vnlesse hee shalbe discharged by three Iustices of peace (whereof one to be of the Quorum) of the same Shire where the offences shal be committed. 1. P. 12. 1. Cl. 17.

Disturbing a commotion whereinto one is mooued.

Riots, &c.

W^h able pers^{ns}
required, refu-
sely to serve.

25 **¶** If any person being above the age of eighteen yeres, and under the age of forty, being able to serve, and not sick, lame, or impotent, shall be required by any Justice of peace, or any Shirefe of any countie where any such assembly shall be, or by any Mayor, Bailife, or other head officer of any Citie, Borough, or Towne corporat, or by any other by the commandement of any such Justice, Shirefe, Mayor, &c. to goe with him or them, to suppress the persons unlawfully assembled in manner and forme aforesaid, then every person which so being able and required doth willingly, and obstinately refuse so to do, shall suffer imprisonment for one yere without bail or mainprise. 1. P. 12. 1. Cl. 17.

Attendance
upon a Lieu-
tenant.

26 **¶** If the Queene shall by her letters patents make any Lieutenant in any Countie or Countiees of this Realme, for the suppression of any commotion, rebellion, or unlawfull assembly, then aswell all Justices of peace, and the Shirefe of every such Countie, as all Mayors, Bailifs, and other head officers, and all inhabitants and subjects of any Countie, Citie, Borough, or Towne corporat, within every such Countie, shall upon the declaration of the said letters patents and request made, be bound to give attendance upon the same Lieutenant, to suppress any commotion, rebellion, or unlawfull assembly, unless he so required, have any reasonable excuse for his not attendance, upon paine of imprisonment for one whole yere. 1. P. 11. 1. Cl. 17.

The forme of
the proclamacion.

27 **¶** The order and forme of the Proclamacions that shall be made by the authoritie of this act, shall be as here after followeth, or with the like order and words in effect, viz. The Justices or other persons authorized by this act to make the said proclamation, shall make, or cause to be made an Opre, and after that, shall openly pronounce, or cause to be pronounced these words, or like in effect: The Queene our sovereign Lady, chargeth and commandeth all persons being assembled, immediately to disperse themselves, and peaceably to depart to their habitacions, or to their lawfull businesse, upon the paine contained in the act lately made against unlawfull and rebellious assemblies, and God save the Queene. 1. P. 12. 1. Cl. 17.

Widerance of
the Procla-
macion.

28 **¶** If any person shall molest, let, hinder, or hurt any person or persons that shall proclaim, or go to proclaim according to the proclamation and order aforesaid, whereby such proclamation shall not be made, then every such person so molesting, or hurting, &c. and having knowledge of his message, shall incurre such danger, and suffer such paines and forfeitures as the persons assembled, to whom the proclamation should have bin made, should by this act incurre for not obeying the proclamation (if it had bene made) or for doing after the proclamation of any the things before expressed. And also all such persons being assembled to the number aforesaid, to attempt, or doe any the things aforesaid, to whom proclamation should or ought to have bene made, if the same had not bene let, shall likewise in case they do after put in bye, and do any the things aforesaid, having any waies knowledge

knowledge of the let so made, or by any means procuring the same let, incurre like danger, and suffer like paines and forfeitures aforesaid, in euery their degrees, as though the Proclamation had bene made, any cause in this act &c. notwithstanding. 1. P. 12. 1. Cl. 17.

29. **C** All and euery the heires of all and euery the offenders in any the cases aforesaid, and all and euery person and persons, bodie polirike, and corporate, their heires, successors, and executors, and euery of them (other then such persons onely, as shalbe attainted, convicted, or outlawed, of any the foresaid offences of felony) shall haue, hold, & enioy, all such right, title, entrie, interest, leases, possessions, rentes, conditions, profits, & aduantages, as they or any of them shall, or of right ought to haue, in, or to any landes, rents, reuerfions, seruices or hereditaments, whatsoeuer, or any part thereof, in as large maner to all intents, as if such attainder had neuer bene had, any thing in this act notwithstanding, &c. Hauiug to euery person, body polirike and corporate, and their successors, their liberties and franchises in such maner, as if this act had neuer bene made, 1. P. 12. 1. Cl. 17.

Other mens
rights saued.

30. **C** If any person doe mooue, stirre, or procure any other, to commit any of the offences in this act specified, then he shall suffer such punishment by imprisonment without baile or mainprise, as is befoze expresse in this act against consailors of such offenders. 1. P. 12. 1. Cl. 17.

Procuring or
others to offend.

31. **C** If any persons to the number of xii. or more, shall assemble together in forcible maner, unlawfully, and of their owne authoritie, to the intent to execute, doe, or put in by any of the things aboue specified, or to doe other felonious or rebellious act, or acts, and so shall continue together by the space of iii. howres, after Proclamation shall be made, at or nigh the place where they shalbe so assembled, or in some marke towne thereunto next adioynning, and after notice thereof to them giuen, then euery person so willingly assembled in forcible maner, and so continuing together by the space of iii. howres after such Proclamation made, and notice thereof giuen, shalbe adiudged a felon. 1. P. 12. 1. Cl. 17.

Unlawfull
assemble by
xii. or aboue.

32. **C** No lieutenant that shalbe made by authoritie or colour of this act, or for to execute this act, shall constitute vnder him, or in his place, any deputy, nor shall call, or appoint to appeare befoze him by the onely authoritie of Lieutenantie, or of Commission of Lieutenantie, any person, for any cause or matter whatsoeuer, saue onely for the causes and matters expresse in this act, and for none other. 1. P. 12. 1. Cl. 17.

Lieutenant
shall not ap-
point a de-
puty.

33. **C** No person shalbe put to any losse, forfeiture, paine, or punishment of life, land, or goods, as accessarie to any person or persons that shall commit any of the offences contained in this act, for receiuing, comforting, or adioyning of any such offender after such act committed or done, 1. P. 12. 1. Cl. 17.

Adioyning of the
offender afoze
the offence.

34. **C** No attainder, or conviction of any person for any offence herein contained, shalbe any corruption of blood betwixt the offender and any of

The attainder
for those offen-
ces not corrup-
tion of blood.

Rome, &c.

his aunccestors, or such person as should haue bene helpe to such offendors, if no such attainder or conuiction had bene had. Saving to euery person, body politicke, and corporat &c. their liberties and franchises in such maner, as if this act had neuer bene made. 1. P. 1. Parliament. 12. 1. Eliz. 17. to continue during the naturall life of Queene Elizabeth, and to the ende of the Parliament then next following.

Rome, &c.

Maintaining
the authoritie
of the Bishop
of Rome.

If any person or persons dwelling, or resident within any the Queenes dominions &c. or els where within or vnder her obedience &c. shall by writing, suphering, printing, preaching, or teaching, deuoe, or act, aduisedly, and wittingly, holde, or stand with, to extoll, set forth, maintaine or defend the authoritie, iurisdiction, or power of the Bishop of Rome, or of his see, heretofore claimed, vsed or vsurped within this Realme or in any dominions being of, within, or vnder the Queenes obedience, or by any speech, open deed, or act, aduisedly, and wittingly attribute any such Iurisdiction, authoritie, or preheminance to the saide See of Rome, or to any Bishop of the same within this Realme, or in any the Queenes dominions, then euery such person or persons, so doing or offending, their abettors, procurors, and counsaillors, and also their aidors, assistants, and comforters vpon purpose, and to the intent to set forth, further, and extoll the sayd vsurped authoritie, or iurisdiction of any of the said Bishops of Rome, and euery of them, being thereof lawfully indicted, or presented, within one yeere next after any such offences by him or them committed, and being lawfully conuicted or attainted at any time after, according to the lawes of this Realme, for euery such default and offence, shall incurre into the dangers, penalties, and forfeitures, prouided by the Statute of prouision & pcurance, made 1. R. 2.

The second
offence.

Relieving the
offendours.

And if any such offendor after such conuiction and attainder, do esloones commit the said offences, or any of them in maner and forme aforesaid, and be thereof duely conuicted and attainted, as is aforesaid: then he shall forfeite and suffer such paines, forfeitures, iudgement, and execution, as is vsed in cases of high Treason. But this act, or any attainder to be had by force thereof, shall not extend to make any corruption of blood, the disheriting of any heire, forfeiture of Dower, nor to the preiudice of the right, or title of any person, other then of the offendour during his, her, or their naturall liues onely. But charitable giuing of reasonable almes to any of the offendours aboue specified without fraud or coun, shall not be taken to be any such abettment, procuring, concealing, ayding, assisting, or comforting, as thereby the giuer of such almes shall incurre any paine, penalty, or forfeiture appointed in this Act. 5. El. 1.

Giuing or taking
absolution
by any Bull
from Rome.

2 If any person or persons shall vse, or put in vse in any place within this Realme, or in any the Queenes dominions, any Bull, writing, or instrument, written or printed of absolution, or reconciliation, obtained from the Bishop of Rome, or any his successors, or from any other person

of persons authorised, or claiming authoritie, by, or from the said Bishop, his predecessors or successors, or Sea of Rome: Or if any person or persons shall take upon him or them, by colour of any such Bull, writing, Instrument, or authoritie, to absolve, or reconcile any person, or to graunt, or promise to any person within this Realme, or any other the Queenes dominions, any such Absolution, or reconciliation, by any speech, preaching, teaching, writing, or any other open deepe: Or if any person or persons within this Realme, or any the Queenes dominions, shall willingly receive, and take any such absolution, or reconciliation: Or els if any person or persons haue obtained or gotten since the last day of the Parliament, holden Anno 1. El. Or shall obtaine, or get, from the sayd Bishop of Rome, or any his successors, or sea of Rome, any maner of Bull, writing, or Instrument written, or printed, containing any thing, matter, or cause whatsoever, or shall publish, or by any wayes or meanes put in vye any such Bull, writing, or instrument, then all and euery such act and offence, shall be aduinged to be high treason, and the offenders therein, their procurors, abettors, and counsaillors to the fact, and committing of the saide offence or offences, shall be aduinged high Traitors to the Queene and the Realme, and being thereof lawfully indicted and attainted, according to the course of the lawes of this Realme, shall suffer death, and forsaite all their landes, hereditaments &c. and cattels &c. 13. El. 2.

Obtaining of
Bulles from
Rome.

3. All and euery aydoers, comforters, or maintainers of any of the said offenders, after the committing of any of the sayde acts or offences, to the intent to set forth, upholde, or allow the doing, or executing of the sayd vsurped power, concerning the premisses, or any part thereof, shall incurre the paines and penalties contained in the Statute of Premunire, made 16. R. 2. 13. El. 2.

The forsaite of
aydoers, com-
forters, and
maintainers,
after the offens-
es committed.

4. If any person to whom any such absolution, reconciliation, Bull, writing, or instrument shall be offered, or perswaded to be vsed, put in vye, or executed, shall conceale the same offer, or perswasion, and not disclose it by writing or otherwise, within fixe weekes then next following, to some of the Queenes priue Counsell, or els to the President, or vice President of the Queenes Counsel established in the North, or in y^e Marches of Wales, then he shall incurre the penaltie and forsaiture for mispyssion of high treason. But no person shall be troubled for mispyssion of treason, for any offence made treason by this act, other then such as before are declared to be in case of mispyssion of high treason. 13. El. 2.

Concealing of
absolution or
Bull offered.

5. If any person shall at any time bring into this Realme, or any the dominions of the same, any token, or thing called Agnus dei, or any crosses, pictures, heades, or such like vaine and superstitious things from the Bishop or Sea of Rome, or from any person or persons authorised, or claiming authoritie by, or from the sayde Bishop or Sea, to consecrate, or hallowe the same, if the same person shall deliuer, or cause or suffer to be

Agnus dei, crosses,
pictures.

on

32 n. iiii.

deliuered

deliuered the same, or any of them, to any subject of this Realme, or of any the dominions of the same, to be woyn or vled in any wise, then as well the same person so doing, as also euery other person which shall receiue and take the same to the intent to vse or weare the same, being thereof lawfully conuicted and attainted by the order of the common lawes of this Realme, shall incurre into the dangers, penalties, and forfeitures ordered by the statute of Premunire and Prouision, made 16. R. 2. Saving to euery person, and body politike, their heires and successours, other then the offenders, and their heires, and such as claime to their vses) all such rightes, titles, leases, rents, reuerfions, offices, fees, hereditaments, &c. as they or any of them shall haue the day of committing such offences, or any time before. 17. Cl. 2.

Of her mens
ing jcs saued.

Apprehending
the offender, or
disclosing his
name.

6. ¶ If any person to whom any such Agnus Dei, or other the things aforesaid shalbe offered to be deliuered, shall apprehend the partie so offering the same, and bring him to the next Justice of peace of the shire where such tender shall be made (if he shall be able so to do) or for lacke of such abilitie, shall within thye dapes next after such offer made, disclose the name and dwelling place or places of resort of the person which shall make such offer (which he shall endeavour himselfe to know by all the meanes he can) to the Ordinarie of the diocesse, or to any Justice of peace of the shire, where such person to whom such offer shalbe made shalbe resistant. And also if such person to whom such offer shall be made, shall happen to receiue any such Agnus Dei, or other thing aboue remembred, and shall within the space of one day next after such receit, deliuer the same to any Justice of peace within the same shire, where the partie so receiuing shalbe then resistant, or shall happen to be, then euery such person or persons doing any the acts or things last aboue mentioned, in forme aboue declared, shall not by force of this statute incurre any danger or penaltie. 13. Cl. 3. And that Justice of peace to whom any such matter shalbe declared, shall disclose the same within foureteene dapes after to one of the Queenes Privie counsell, or els he shall incurre the danger of Premunire. S. Justice of peace 100.

Withdrawing
the subjects
from their o-
bedience to the
Queene.

7. ¶ All persons whatsoeuer, which haue or shall haue, or shall pretend to haue power, or shall by any waies or meanes, put in practice to absolue, persuade, or withdraw any of the Queenes Maiesties subjects, or any within any her highnesse dominions, from their naturall obedience to her Maiestie, or to withdraw them for that intent from the religion now by her highnesse authoritie established within her dominions, to the Romish Religion, or to moue them, or any of them, to promise any obedience to any pretended authoritie of the See of Rome, or of any other prince, state, or potentate, to bee had or vled within her dominions, or shall doe any ouert act, to that intent or purpose, and euery of them, shall be to all intents adiudged to be Traitors. And being thereof lawfully conuicted, shall haue iudgement, suffer and forfeit, as in case of high treason.

And

And if any person shall after the end of this Session of parliament by any means be willingly absolved, or withdrawn as aforesaid, or willingly be reconciled, or shall promise any obedience to any such pretended authoritie, prince, state, or potentate, as is aforesaid, then euery such person, their procurers and counsellors thereunto, being thereof lawfully conuicted, shalbe taken, tried and iudged, and shall suffer and forfeit, as in cases of high treason, 23. Eliz. 1.

Reconciling as being reconciled.

8. ¶ All and euery person and persons, that shall willingly be aiders, or maintainers of such persons so offending as is aboue expressed, or of any of them knowing the same, or which shall conceale any offence aforesaid, and shall not within twentie dayes at the furthest, after such persons knowledge of such offence, disclose the same to some Justice of peace, or other higher officer: shall be taken, tried, and iudged, and shall suffer and forfeit as offenders in mispision of treason. And if any Peere of this Realme shall happen to be indicted of any offence made treason, or mispision of treason by this act, hee shall haue his triall by his Peeres, as in other like cases is accustomed, 23. Eliz. 1.

Aiders and maintainers of the offenders.

11. The punishment of Iesuites and Priests ordeined by authoritie deriued from the see of Rome, which come into this Realme, and of those which receiue them, S. Iesuites.

Spisition.

Trial of peeres.

Sacraments and Seruice diuine.

I. If any person shall by any contemptuous words, depraue, despise, or contemne the Sacrament of the body and blood of Christ, or speake against the receiuing thereof, vnder both kindes, or shall abusiely in any other wise, contemne, despise, or reuile the same, he shall suffer imprisonment, and make fine at the Queenes pleasure, 1. Edwardi sexti 1. 1. Elizabeth 1. S. Justice of peace, 8.

Wherein speaking against the Sacrament.

11. ¶ If any Parson, Vicar, or other Minister, hauing any spirituall liuing, which ought to sing or say Common prayers, or to minister the Sacraments, shall refuse to vse the Common prayers, or to minister the Sacraments in such places as he should vse to minister the same, in such order and forme, as they be set forth in the booke of Common prayer, &c. authorized by Parliament An. 3. & 6. Edwardi sexti, with certeine additions &c. or shall wilfully, or obstinately standing in the same, vse any other rite, ceremony, order, forme, or manner of celebrating the Lords Supper, openly, or priuily, or administration of the Sacraments, Patterns, Euensong, or other open prayers, (vz. such prayers as others be to come vnto) then is mentioned and set forth in the said booke: or shall preach, declare, or speake any thing in deprauiing of the said booke, or of any thing therein contained, or of any part thereof, and shall be therof convicted, according to the lawes, by verdict of twelue men, his owne confession, or by the notorious evidence of the fact: he shall for the first offence forfeit to the Queene one whole yeeres profit of all his spirituall promotions, and be imprisoned six moneths

Refusing to vse common prayers or to minister the Sacraments in due order.

ncchs

Sacraments and Service diuine?

neths without baile or mainpise, for the seconde offence being once before convicted, shall be depriued of all his spirituall promotions, and be imprisoned twelue moneths &c. and being twice convicted, shall for the third offence be imprisoned during his life, besides deprivation of all his spirituall livings. 1. Cl. 2.

3. ¶ If the partie offending, and being conuict in forme aforesaid, haue no spirituall livings, hee shall for his first offence be imprisoned one whole yere, and for the second, during his life. 1. Cl. 2.

4. ¶ Whosoever shall in any enterludes, playes, songs, rimes, or by open words speake any thing in the despising, depauning, or derogation of the same booke of Common prayer, or of any thing therein contained, or any part thereof, or shall by open act, deed, or threatnings, compell, procure, or mainteine any Parson, Vicar, or Minister in any Church, Chapell, or other place, to sing or say any Common or open prayer: Or to minister any Sacraments in other forme then is mentioned in the said booke, or shall interrupt any Minister &c. in any Church, or other place to sing or say Common prayer, or to minister any of the Sacraments, in such forme, as is mentioned in the said booke, shall forfeit to the Queene for his first offence C. marks, & being once conuict, shall forfeit for his second offence CCC. marks, & being twice conuict, shall forfeit for the third offence all his goods and cattels, and also suffer imprisonment during his life, and he which for his first offence doth not pay the C. marks within sixe weeks next after conuiction, shall for the same offence, in stead of the said summe, suffer imprisonment sixe moneths without baile or mainpise, and he which doth not pay the CCC. marks within sixe weeks next after his second conuiction, shall in stead thereof be imprisoned twelue moneths &c. 1. Cl. 2.

5. ¶ Euery person hauing no reasonable excuse to be absent, shall resorte to the parish Church or Chapell, or (vpon reasonable let) to some place where the Common prayer shall be vsed, vpon euery Sunday, and other dayes ordeined and vsed to be kept as holy dayes, and then and there shall abide orderly and soberly during the time of Common prayer, preachings, or other Gods seruice, vpon paine of forfeiture for euery offence xii. d. to be leuied by distresse of his goods, lands, &c. by the Churchwardens, to the vse of the poore of the same parish, and also shall be punished by the Censures of the Church. 1. Cl. 2.

6. ¶ No person shall be impeached or molested for any of the offences aboue mentioned, vntill he be indicted at the next generall sessions holden before any Iustices of Oyer & ter. or Iustices of assise, next after any such offence committed. 1. Cl. 2.

7. ¶ Iustices of Oyer & deter. and Iustices of assise in their generall sessions, and the Maior of London, and all Maiors, Bailiffes, and other head officers of all Cities, Boroughs, and townes corporate, to the which Iustices of assise doe not commonly repaire, haue authoritie to enquire, heare

An offendour
hauing no spi-
rituall living.

Depauning of
the booke of
Common pray-
er, or procu-
ring other
common
prayer.

Euery person
shall resorte to
the Church.

Within what
time the offend-
er shall be in-
dicted.

Whomay in-
quire of, and
punish the
foresaid of-
fences.

heare and determine all offences committed contrary to any article, contained in this act, within fifteene dayes after Easter, and S. Michael, and to make proccesse for the execution of the same, as they may doe against any person indicted before them of trespassse. And euery Archbishop and Bishop may at all times associat himselfe to the said Iustices &c. at euery their generall sessions holden within his diocesse for the inquirie, hearing, and determining of the said offences. 1. Cl. 2.

8. ¶ All Archbishops, Bishops, and euery of their Chancellors, Commissaries, Archdeacons, and other Ordinaries, hauing any peculiar ecclesiasticall iurisdiction, haue power to enquire within their iurisdiction, to take informations and accusations of all things aboue mentioned, committed within the limites of their iurdictions; and to punish the same by admonition, excommunication, sequestration, or deprivation, or other Censures, and proccesse, as haue bene vied in the like cases by the Queenes ecclesiasticall lawes. 1. Cl. 2.

9. ¶ Whatsoever person offending in the premisses, shall for his first offence receiue punishment of the Ordinarie, hauing a testimoniall thereof vnder the said Ordinaries seale; shall not for the said offence be afterwards punished before the Iustices. &c. 1. Cl. 2.

10. ¶ Euery person which shall say or King's Maltre, being thereof lawfully convicted, shall forfeit the summe of CC. marks, and be committed to prison in the next gaole, there to remaine by the space of one yere, and from thenceforth till he haue payd the said summe of CC. marks, and euery person which shall willingly heare Maltre, shall forfeit the summe of one hundred marks, and suffer imprisonment for a yere. 23. Cl. 1.

11. ¶ Euery person aboue the age of xvi. yeres, which shall not repaire to some Church, Chapell, or vsuall place of Common prayer, but forbear the same, contrarie to the tenor of a statute made in the first yere of her Maesties reigne, for vniformitie of Common prayer, and being thereof lawfully convicted, shall forfeit to the Queenes Maestie for euery moneth after the end of this Session of parliament, which he or she shall so forbear, xx. li. And that ouer and besides the said forfeitures, euery person so forbearing by the space of twelue moneths as aforesaid, shall for his or her obstinacie (after certificat thereof in writing made into the court, commonly called the Kings bench, by the Ordinarie of the diocesse, a Iustice of assise & gaole deliuerie, or a Iustice of peace of the Countie where such offender shall dwell or be) be bound with two sufficient sureties in the summe of CC. li. at the least, to the good behauiour, and so to continue bound untill such time as the persons so bound do conforme the said lawes, and come to the church; according to the true meaning of the said statute made in the first yere of the Queenes reigne. 23. Cl. 1.

12. ¶ If any person or persons, body politike or corporat, shall keepe or mainteine any Schoolmaster, which shall not repaire to church, as is aforesaid,

But once punished for one offence, shall not be punished againe for the same offence.

Saving of hearing of Maltre.

Repairing to the Church.

Antea. 5. f.

Schoolmaster.

said,

Sacraments and Service diuine.

872
said, or be allowed by the Bishop or Ordinarie of the dioces where such Scholemaster shalbe so kept, shall forfeit for every moneth so keeping him, ten pounds, (Provided that no such Ordinarie or their minister, shall take any thing for the said allowance.) And such Scholemaster or teacher presuming to teach contrary to this act, and being thereof lawfully convicted, shall be disabled to be a teacher of pouche, and shall suffer imprisonment without baile or mainprise for one yere. 23. Cl. 1.

Service in a mans private house.

13. ¶ Every person which usually on the Sunday shall haue in his or her house the diuine service which is established by the law in this Realme, and be thereat himselfe, or her selfe, usually or most commonly present, and shall not obstinately refuse to come to Church, and there to doe as is aforesaid, and shall also foure times in the yere at the least, be present at the diuine service in the Church of the parish where he or she shall be resident, or in some other open common Church, or such Chapell of ease, shall not incur any paine or penaltie limited by this act, for not repairing to the Church. 23. Cl. 1.

To what use the forfeitures shall be imployed.

14. ¶ All forfeitures of any summes of money limited by this act, shall be diuided in three equal parts, wherof one third part shalbe to the Queene, to her owne use, one other third part to the Queene, for reliefe of the poore in the parish where the offence shall be committed, to be deliuered by warrant of the principall Officers in the receipt of the Eschequer, without further warrant from her Maestie, and the other third part, to such person as will sue for the same, in any Court of record, by A. B. P. or I. in which suite no C. P. M. shall be allowed. And every person which shall forfeit any summes of money by vertue of this act, and shall not be able, or shall faile to pay the same within thre moneths after iudgement thereof giuen, shall be committed to prison, there to remaine untill he haue payed the said summes, or conformed himselfe to goe to Church, and there doe, as is aforesaid. 23. Cl. 1.

Conuenous conuepances, to defraud forfeitures.

15. ¶ Every grant, conuepance, bond, iudgement, and execution, had or made, since the beginning of this Session of parliament, or hereafter to be had or made, of conuenous purpose, to defraud any interest, right, or title, that may or ought to grow to the Queene, or to any other person, by meane of any conviction, or iudgement by vertue of this statute, or of the statute of 13. Cl. 2. shall be, and be adiudged to be utterly void against the Queene, and against such as shall sue for any part of the said penalties in suite aforesaid. 23. Cl. 1.

S. Rome 2. 41.

A guiltie person conforming himselfe.

16. ¶ Every person guiltie of any offence against this statute, other then Treason, and misprision of Treason, which shall before he be thereof indicted, or at his arraignment, or triall before iudgement, submit and conforme himselfe before the Bishop of the diocesse, where he shall be resident, or before the Justices where he shall be indicted, arraigned or tried (hauing not before made like submission, at any his triall being indicted

dicted for his first (like offence) shall upon his recognition of such submission in open assises or sessions of the counce, where such person shall be resident, be discharged of all and euery the said offences against this act, (except treason and misprision of treason) and of all paines and forfeitures for the same. 23. El. 1.

17 **¶** Provided, that neither this act, nor any thing therein contained, shall extend to take away or abridge the authoritie, or iurisdiction of the Ecclesiasticall Censures for any cause or matter, but that the Archbishops and Bishops, and other Ecclesiasticall Judges may do, and proceed, as before the making of this act they lawfully did or might haue done: Any thing in this act to the contrary notwithstanding. 23. El. 1.

Ecclesiasticall Censures.

18 **¶** Every feoffment, gift, grant, conveyance, alienation, estate, lease, encumbrance and limitation of vse, of, or out of any lands, tenements or hereditaments whatsoever, had or made at any time since the beginning of the Queenes Maiesties reigne, or at any time hereafter to be had or made by any person which hath not repaired or shall not repaire to some Church, Chapell, or vsuall place of Common prayer, but hath forborne or shall forbear the same contrary to the tenor of the said statute (of Anno 23. El. 1.) And which is or shall be reuocable at the pleasure of such offendour, or in any wise directly or indirectly meant or intended, to, or for the behoofe, reliefe or maintenance, or at the disposition of any such offendour, or wherewith or whereby, or in consideration whereof such offendour or his familie shall be maintained, relieved or kept, shall be deemed and taken to be utterly frustrate and void, as against the Queenes Maiestie, for or concerning the leuying and paying of such summes of money as any such person by the lawes or statutes of the Realme already made, ought to pay or forfeit for not coming or repairing to any Church, Chapell, or vsuall place of Common prayer, or for saying, hearing or being at any Masse, and shall also be seised and had, to and for her Maiesties vse and behoofe, as hereafter in this act is mentioned: any pretence, colour, fained consideration, or expelling of any vse to the contrary notwithstanding. 23. El. 6.

Certaine assurances made by such which come not to the Church void against the Queen.

19 **¶** Every conuiction hereafter for any offence before mentioned, shall be in the Court commonly called the Kings bench, or at the Assises, or generall Gaole deliuerie, and not els where, and shall from the Justices before whome the record of such conuiction shall remaine, be directed and certified into the said Court of Eschequer, before the end of the terme next ensuing after euery such conuiction, in such convenient certaintie, as the Court of Eschequer may thereupon award out proccesse for seisure of the lands and goods of euery such offender as hath not payed their forfeitures according to the lawes and statutes in such case provided. 23. El. 6.

All conuictions for not repairing to the church or hearing of Masse, shall be in the Kings bench or at the generall assises or gaole deliuerie.

20 **¶** Every such offender in not repairing to diuine service, but for bearing the same contrary to the said statute (of Anno 23. El. 1.) as hath bene heretofore conuicted of such offence, and hath not made submission, and

At what time the mony forfeited for not going to the Church shall be payed.

Sacraments and Seruice diuine.

and bene conformable according to the true meaning of the said statute, shall without any other indictment or conuiction, pay into the receipt of the said Eschequer all such summes of money, as according to the rate of twentie pounds for euery moneth since the same conuiction do yet remaine vnpayed, in forme as hereafter ensueth: that is to say, the one moitie thereof before the end of next Trinitie terme, and the other moitie thereof before the end of the next Hilary terme, or at any such other times as by the lord Treasurer, Chancellor, and chiefe Baron of the Eschequer, or any two of them shall by composition vpon good band and suretie taken be limited, before the end of the said next Trinitie terme if any such composition shall happen to be. And shall also in euery Easter and Michaelmasse terme vntill such time as the same person doe make submission and be conformable according to the true meaning of the said statute, pay into the said receipt of the Eschequer twentie pounds for euery moneth which shall incurre in all that meane time, 29. El. 6.

21 ¶ Euery such offender in not repairing to diuine seruice, but for bearing the same contrary to the said estatute, as hereafter shall fortune to be thereof once conuicted, shall in such of the termes of Easter and Michaelmasse as shall be next after such conuiction, pay into the said receipt of Eschequer after the rate of twentie pounds for euery moneth which shall be contained in the indictment whereupon such conuiction shall be. And shall also for euery moneth after such conuiction without any other indictment or conuiction pay into the receipt of the Eschequer aforesaid, at two times in the yeere, that is to say, in euery Easter terme and Michaelmasse terme, as much as then shall remaine vnpayed, after the rate of twentie pounds for euery moneth after such conuiction. And if default shall be made in any part of any payment aforesaid, contrary to the forme herein before limited, then and so often the Queenes Maiestie shall and may by proccesse out of the said Eschequer, take, seise, and enioy all the goods, and two parts aswell of all the lands, tenements, and hereditaments, leases and farmes of such offender, as of all other the lands, tenements, and hereditaments liable to such seisure, or to the penalties aforesaid, by the true meaning of this act, leauing the third part onely of the same lands, tenements, and hereditaments, leases, and farmes, to and for the maintenance and reliefe of the same offender, his wife, children, and familie. 29. El. 6.

He that is once conuicted shall pay xx. li. a moneth with out further indictment.

The Queene may take all the offenders goods & two parts of his lands & leases which vaperth not xx. li. a moneth.

The indictment sufficient though it be not mentioned that the partie is inhabiting within the Realme.

22 ¶ The indictment of euery such offender, mentioning the not coming of such offender to the Church of the parish where such person at any time before such indictment was, or did keepe house or residence, nor to any other Church, Chapell, or vsuall place of Common prayer, shall be sufficient in the law. And it shall not be needfull to mention in any such indictment, that the partie offender was or is inhabiting within this Realme of England, or any other the Queenes Maiesties dominions. But if it shall happen any such offender then not to be within this Realme or other

her

her Maiesties dominions: in such case the partie shall be relieved by plea to be put in that behalfe, and not otherwise. 29. El. 6.

The partie indicted not being within the realm relieved. A proclamation on that behalf put in shall preclude his body to the thirde.

23. ¶ And vpon the indictment of such offender, a Proclamation shall be made at the same Assises of Gaole deliuerie in which the indictment shall be taken (if the same be taken at any Assise of Gaole deliuerie) by which it shall be commanded, that the body of such offender shall be rendred to the shirfe of the same countie before the said next Assises of generall Gaole deliuerie to be holden in the same countie. And if at the said next Assises of Gaole deliuerie, the same offender so proclaimed shall not make apparance of Record, then vpon such default recorded, the same shall be as sufficient conuiction in law, of the said offence wherof the partie so standeth indicted, as is aforesaid, as if vpon the same indictment, a trial by verdict thereupon had proceeded, and bene recorded. 29. El. 6.

24. ¶ Provided alwayes, that whensoever any such offender, as is aforesaid, shall make submission, and become conformable according to the forme limited by the said statute made in the thre and twentieth yere of the Queenes Maiesties reigne, or shall fortune to die, that then no forfeiture of twentie pounds for any moneth, or seisure of the lands of the same offender, from and after such submission and conformitie, or death, and full satisfaction of al the arerages of twentie pounds monethly, before such seisure due, or payable, shall ensue or be continued against such offender, so long as the same person shall continue in comming to diuine service according to the intent of the said statute. 29. El. 6.

The offender submitting or dying.

25. ¶ It shall and may be lawfull to and for the lord Treasurer of England, Chancellor, and chiefe Baron of the Eschequer for the time being, or two of them, to assigne and dispose of the full thirde part of the twentie pounds for euery moneth, payed or to be payed into the receipt of the Eschequer, as is aforesaid, for the reliefe and maintenance aswell of the poore, and of the houses of correction, as of impotent and maimed souldiers, as the same lord Treasurer, Chancellor, & chiefe Baron, or any two of them, shall order or appoint. Any thing in the said statute made in the said thre and twentieth yere of her Maiesties reigne, mentioned to the contrary thereof in any wise notwithstanding. 29. El. 6. §. 14.

The third part of the forfeiture assigned to the poore.

To be paid to the poore, and to the houses of correction, and to the maimed souldiers.

Assurances made bona fide, not impeached.

Assurances made bona fide, not impeached.

26. ¶ Provided alwayes that this act or any thing therein contained, shall not in any wise extend or be construed to make void or impeach any grant or lease heretofore made, bona fide, without fraud or couine, wherevpon any pecerly rent or payment is reserved or payable, or any graunt or lease hereafter to be made, bona fide, without fraud or couine, wherevpon the accustomed pecerly rent or more shall be reserved, or any other conveyance, assurance, or assignement whatsoeuer heretofore made, bona fide, vpon good consideration, and without fraud or couine, which is not or shall not be reuokeable at the pleasure of such offender, otherwise then to give benefice or title to her Maiestie, her heires and successours, to haue, perceiue

Seizure of
lands whereof
the offender
hath but es-
tate for life.

perceive and enjoy such rents and payments during the continuance of such lease or grant according to the true meaning of this act, 28. Cl. 6.

27. **C** This act shall not in any wise extend or be construed to continue any seizure of any lands or tenements of such offender in her Heiresses hands, or in the hands of her heires or successors after the said offenders death, which lands or tenements he shall have or be seised of, onely for terme of his life, or in the right of his wife: Any thing in this acte &c. 28. Cl. 6.

1 Arresting a Priest which is doing diuine seruice. See Arrests. 1.

2 That there shall be a Bible and a booke of Common prayer in euery parish Church in Wales in the Welsh tongue, and another in the English tongue. S. Wales 125. 126.

Safecondites.

What things
he requirith to
make safecon-
dits effectuali.

In every safecondite to be granted to any person or persons, the names of the owners of the ships, and of the masters, and the number of the mariners, with the carriage of the ships shall be expressed. 15. P. 6. 3. And if any ships or vessels charged with merchandise, of any merchants being the Queenes enemies be taken vpon the Sea by any of the Queenes liege people, if the masters, possessours, or merchants of such ships, &c. haue not within the boord of their shippes &c. at the day of the taking of them, the Queenes letters patents of her safecondit, suretie, or safegard for such shippes &c. and merchandise, making mention of the names of the ships &c. and of the name of the master of the same, or the saide letters patents the day of the taking be not inrolled of record in the Chancery, then the takers and possessours of the goods and merchandises may continually enjoy and holde them without making any restitution of the same. 18. P. 6. 8. And all letters of safecondit granted to any of the Queenes enemies, or other which be not inrolled of record in the Chancery before the deliueris of them to whom they be granted, be void. 20. Henrici sexti 1.

Enrollment of
safecondit.

Taking of
their shippes
which haue
safecondit.

22. **C** If any of the Queenes subiects doe take any shippes of any of the Queenes enemies laden with merchandise, not hauing nor shewing such letters of safecondit within the said ships at the time of the taking of them, and do lead them away with force to any place within the realme; they shall not be endamaged for such taking, if they be ready to make restitution of such ships and merchandises; within reasonable time after notice is giuen to them of sufficient safecondit for the same ships, and merchandise, inrolled in the Chancery of record before the taking thereof. 20. P. 6. 1.

Restitution to
one hauing a
safecondit
which is
robbed.

23. **C** If any of the Queenes subiects attempte, or offend vpon the Sea, or in any port within this Realme vnder her obedience against any stranger being vpon the Sea, or in any port aforesaid, by way of amitie, league, or truce, or by force of the Queenes safecondit or safegard, in any wise, and specially in attaching of any such strange person, robbing or spoiling of him, his ship, or any other goods, or against any other person of her liege people: the

the Chancellor of England hath authoritie, calling to him any of the Iustices of the one bench or of the other, vpon a bill or billes of complaint to him made in this behalfe, to make such proceſſe out of the ſaid Chancery, aſwell againſt all ſuch offenders to bring them into the Chancerie, there to anſwere to the parties ſo grieued in this behalfe, as againſt any other perſon or perſons, to whole hands any ſuch perſon ſo attached, ſhip or goods ſhall come, as for the deliuerance and reſtitution by them to be made of the ſame perſon, ſhip, & goods, as ſhall ſeeme to the ſame Chancellor moſt expedient. And vpon this proceſſe, the ſaid Chancellor further ſhall proceed in this matter, if the caſe doe ſo require, by aduice of any ſuch Juſtice, to make the ſtrangers ſo grieued to haue full reſtitution of any ſuch perſon ſo attached, and of all ſuch ſhips, and goods, and alſo of all their coſts, expences and loſſes ſuſtained by them in this behalfe, and thereupon to make all maner of execution out of the ſaid Chancerie in ſuch forme, as ſhall ſeeme to the ſaid Chancellor moſt expedient for ſuch deliuerance, and reſtitution to be had, calling to him any ſuch Juſtice &c. 31. H. 6. 4.

1 That all Aliens being in amitie with the Queene, which bring in vi-
tailes, ſhalbe vnder the Queenes ſafeconduſt. S. Vitailes 2.

¶ Sanctuarie and abiuration.

AL Sanctuaries and places priuiledged, which haue bene bleſed or ta-
ken for any ſanctuarie (except pariſh Churches, and their Church-
yards, cathedrall churches, hoſpitals, and churches collegiat, and all cha-
pels dedicat, vſed as pariſh churches, and the ſanctuaries to euery of them
belonging, and except ſuch places and territories, as hereafter be appointed
to be places of tuition and priuilege) ſhall be vterly extinguiſhed for any
ſuch libertie or priuilege of ſanctuarie to all purpoſes &c. 32. H. 8. 12.

Diners ſanctuaries taken away.

2 Theſe places and territories here after expreſſed, v^z. Welles in the
Countie of Somerſet, Weſtmiſter, Northampton, Norwich, Noſke,
Darby, Launceſton, (Weſtcheſter in the Countie of Cheſſer, or ſome other
towne or place appointed by proclamation by King H. 8. as Stafford, &c.
33. H. 8. 15.) ſhalbe allowed, and taken for places of priuilege, and tuition
for terme of life, of all and ſingular offenders of whatſoeuer kinde euery
their offences ſhall be, for the which the paines of death ſhould enſue by the
lawes of this Realme, other then ſuch as hereafter be excepted. But the ſaid
priuiledged places ſhalbe allowed onely within the bounds appointed, and
returned into the Chancerie vnder the ſeales of Commiſſioners, authoriſed
by commiſſions vnder the great ſeale of England, to make perambulations,
and to appoint how farre and where the bounds of euery of the ſaid
priuiledged places ſhall extend, and not elſewhere within the reſidue of the ci-
tie or towne where ſuch limits be appointed. 32. H. 8. 12.

Places of ſanctuarie.

3 If any perſon flee, or reſort to any pariſh Church, cemitory, or o-
ther like hallowed place, for tuition of his life, by occaſion of any murder,
robberie, or any other felony by him committed, and thereupon confeſſe any

*The forme of
abiuration.*

D o. i.

murder,

Sanctuarie and abiuration.

murder, felonie, or other offence before the Coroner, wherefore he by the lawes of this realme heretofore vled should aburre, & passe out of the same: the same person thereupon shall abiure from all his libertie of this realme, and from his liberall & free habitations, resorts, and passages, to & from the vniuersall places of this realme which apperteyne to the libertie of the Kings subiects vndefamed, and shall forthwith be directed by the Coroner taking & recordeing such abiuration, to any one sanctuary being within this realme, which the same person will chuse, there to remaine as a sanctuarie person abiured during his naturall life, and shall be sworne before the Coroner vpon his abiuration so to doe. 21. H. 8. 14. But there shall not be at any one time aboue twenty priuiledged persons receiued into any one of the foresaid priuiledged places. 32. H. 8. 12. Whether a man may abiure the realme in other cases at this day then for felonie Quare. S. Forrests, 1.

Twentie persons in one place.
Quare.

Abiured persons shall be marked on the thumbe.

4 And the Coroner immediately after his confession and before his abiuration, shall cause euery such felon or murderer to be marked with an hot iron vpon the browne of the thumbe of the right hand, with the signe of an A, to the intent he may the better be knowne among the Queenes subiects that he was abiured: and then to giue him his abiuration, and to be vled in all other things as hath bene accustomed. And all Priors, Bailiffs, and Constables shalbe attendane at the commandement of the Coroner, for the due execution therof, as they will answere at their perils to the Queene for the same. 21. H. 8. 2.

How hee shall be vled which takeh sanctuary.

5 If any person do take any refuge or sanctuary in any parish church or churchyard, cathedrall church, hospitall, church collegiat, or other chapel dedicate, commonly vled as parish churches, or in the cemitorie to any of them belonging, for any offence (other then such as be hereafter excepted) then he shall and may remaine there by the space of fortie dayes as hath bin vled, vling himselfe in all poyntes according to the lawes and statutes of the realme, vnlesse the Coroner in the meane time repaire vnto him for the taking of his abiuration, in which case vpon repaire of the said Coroner, hee shall and may abiure to any of the said priuiledged places before named, not being full of the number to euery of them appointed, there to remaine during his life, vling himselfe in such like order in all things as is appointed by the statutes and lawes of this realme, for the good order of sanctuarie persons to be obserued within priuiledged sanctuaries. 32. H. 8. 12.

A felon refusing to abiure.

6 If any felon, or murderer, that ought to haue any such abiuration, refuse to take his passage out of the said sanctuary at such time as shalbe limited vnto him by the said Coroner, then he shal lose the benefit of the same sanctuarie, and be taken out of the same, and committed to prison, and further be ordered for his offence after his merits, without any restitution to sanctuarie for the same. 21. H. 8. 2.

Personall appearance of sanctuarie persons, before their gouernor

7 The officer or gouernor of euery of the said priuiledged places and territories, shall dayly call by himselfe, or his deputie, all and euery of the said

said privileged persons by their names, and if any of them do make default at these severall dayes together, and do not personally appeare at any of the said three dayes, having no lawfull excuse to the contrary, then hee which maketh default, shall lose the privilege of all and every of the said privileged places. 32 H. 8. 12.

8. ¶ If any person do abiure to any of the said privileged places according to the puruey of this act, he shall be used, conducted, and brought from constable to constable directly, according to the order of the lawes heretofore used for the conducting of abiured persons to their ports after their abiurations, untill such time as he be brought to the gouernour of the said privileged place whereunto he shall so be abiured, or to his deputie. And if at the bringing of him thither, it shall appeare by the register there kept of the names of the privileged persons then being in the said privileged place, that the said privileged place is then full of the said number of the said privileged persons, being then there lawfully privileged: then the gouernour of the said privileged place, or his deputie, shall declare vnto the said abiured person, and to the officer that conducteth him, that the said abiured person may not be there receiued, for that the saide privileged place is then already full of his number, and thereupon shall command the said officer to conduct and deliuer the said abiured person to the Constable, or other officer of the next towne adioyning to the said privileged place leading directly to the next of the said other privileged places: And the same abiured person so to be deliuered from Constable to Constable, officer or officers of euery towne ship tending toward the same next privileged place untill he be thither conducted, and there deliuered, to remaine as is aforesaid. And the gouernour of the said privileged place, where such refusall was had, or his deputie, shall make an entrie in the said Register of the whole matter, viz. what day and yeere the said abiured person was brought thither vnto him, and by what officer, and for what cause hee did refuse the receiuing of him, and to which of the other said privileged places the said abiured person was from thence appointed to be conueyed, and shall before the departure of the said abiured person, deliuer to him a true copie of the said entrie, to the intent he may deliuer the same to the gouernour of the said other privileged place to the which he shall be conducted, or to his deputie. And the saide gouernour of the same privileged place if that same place be not then full of his number, shall receiue the saide abiured person, vpon the sight of the said bill, there to remaine during his life as a privileged person, according to the puruey of this statute. And like order shall be alwayes obserued for the conducting of all abiured persons from euery of the saide privileged places being full of their number, at the time of the bringing thither of any such abiured person, to the next other of the saide places, untill the saide abiured person be receiued into one of the said privileged places not hauing his full number according to the puruey

How the abiured person shall be brought to sanctuarie.

Sanctuarie and abiuration.

of this act. And every gouernor of the said privileged places not doing his duetie, according to the purueiw of this act, and every Constable and other the Queenes officers refusing to receiue or to conduct such abjured persons, shall forfeit to the Queene for euery of their defaultes in this behalfe *xl. s. 32. H. 1. 12.*

Lossing of sanctuarie by committing of felonie.

9 ¶ If any of the said abjured persons, within the time he shall be in any of the said privileged places, as a privileged man, commit any felonie or other offence, for the which the penaltie of death should ensue by the lawes and statutes of this Realme, then he shall for ever lose the privilege aswell of the said place, as of all other sanctuaries before named. *32. H. 8. 12.* And it shall be lawfull to all and singular Iustices of peace and the high Sherriffe of the Countie, or other place where the said sanctuarie is, and to all and singular Mayors, Sherriffes, and Bailiffes of cities and townes corporate where such sanctuarie is, and to euery of them, and to the seruants and officers of any or euery of them in their presence, to take out of the same sanctuarie euery such sanctuarie person so offending, and being indicted of the same, and to commit him to the Queenes Gaole, within the shire or libertie where any such indictment is found against him, safely to be kept till he shall be of the same felonie, or of the accessarie to any such offences, whereof he shall be indicted, conuicted, attainted, or discharged by the law. *33. H. 8. 14. 32. H. 8. 3.*

Where one of sendour may twice haue sanctuarie.

10 ¶ But if any person which was at any time a sanctuarie person for any felony, obtaine the Queenes pardon, and thereby, or other wise be out of sanctuarie, discharged or purged of the offence whereof he tooke sanctuarie, & afterward do commit other felony or manslaughter by chance medly, and not murder of malice prepensed, and thereupon againe take sanctuarie, the same person shall haue and enioy the privilege of sanctuarie for that his other offence of felony or manslaughter by chance medly, as he might haue had before the making of this act. *22. H. 8. 14. 32. H. 8. 3.*

None shall be taken out of sanctuarie before he be examined.

11 ¶ If any person being in any sanctuarie as a sanctuarie person shall be indicted for any felony supposed to be committed by him going out of the same, or any other sanctuarie, and committing the same felony whiles he was so a sanctuarie person, he shall not be taken out of the same sanctuarie before that he be examined thereof by two of the Queenes counsell, or by foure Iustices of peace of the shire where the sanctuarie is, wherein the person so indicted is resident, and if within foure dayes after the first examination, he do make such prooffe as the said examiners shall thinke sufficient, that he was in the sanctuarie at the time of the said felonie committed, then he shall be suffered to remaine in the same sanctuarie, without any exception, the said indictment or any thing in this act &c. notwithstanding. *22. H. 8. 14. 32. H. 8. 3.*

Sanctuarie persons shall weare badges.

12 ¶ All and singular persons which shall be privileged in any sanctuarie, for murder or felonie, shall dayly whensoever they be without the house

house or mansion wherein they haue their lodging, weare a badge, or cognisance, by the gouernour of every sanctuarie assigned, openly vpon their vpper garment, of the compasse in length and breeth of ten inches, vpon paine that whensoever any of them being out of the said house, or mansion wherein he hath his lodging, shalbe taken without the same badge, clerely to lose his priuilege of sanctuarie. And it shall be lawfull to all and singular the Queenes subiects, to apprehend every such offender being without his badge, and him to hying out of the sanctuarie into the next gaole, there to remaine vnto the next gaole deliuerie, and then to be tried according to the order of the law, as though he had neuer bene priuiledged in any such sanctuarie. 27. H. 8. 19.

13 ¶ No priuiledged persons at any time shall beare, occupie, or weare vpon them any maner of sword, knife, or other weapon, other then their meat kniues, and the same meat kniues but at their meales onely, vpon paine as is before rehearsed. 27. H. 8. 19.

Sanctuarie
persons shall
weare no wea-
pons.

14 ¶ If any of the said priuiledged persons shall at any time be found or taken out of his lodging before the Sunne rising in the morning, or after the Sunne going downe in the evening, he shall at the first time suffer imprisonment within the same sanctuarie by the space of two dayes, and at the second time haue imprisonment by the space of sixe dayes, and at the third time (and the same being substantiallyl pproved by indifferent proofs thereof to be made before the lord Chancellor) shall lose his priuilege of sanctuarie. 27. H. 8. 19.

It should be
before
or after Sun.

15 ¶ If any sanctuarie person of prepenesed malice, at any time doe rescue, or resist any of the gouernours aforesaid, or their deputies in executing of their office, in taking and imprisoning of any of the persons priuiledged offending contrary to the tenor of this act, then he that shall fortune to make rescous, shalbe taken out of sanctuarie, and shall suffer and be tried as a felon in every thing. 27. H. 8. 19.

Resisting their
gouernours.

16 ¶ The gouernours or their deputie, of any of the same sanctuaries, where any contract of debt vnder xli. s. trespassse, or couenant shall be made, grow, or be, within any of the said sanctuaries betweene any of the said priuiledged persons, and other inhabitants within any such sanctuarie, haue authoritie to order, iudge, and determine the same according as it shalbe due by there pproved before the said gouernours. 27. H. 8. 19.

The gouernours
of sanctuaries may
determine
contracts.

17 ¶ No person shall haue the priuilege of the sanctuarie which is an offender in any kindes of high treason, whatsoeuer they be, nor any of his aiders, countenances, counsellors, nor abettors. 26. H. 8. 13. No; any person or persons offending in any treasons. 28. H. 8. 7.

These shall not
haue the pri-
uilege of sanc-
tuarie.
Treason.

18 ¶ No; which conspireth to take, or keepe from the Queene, any of her castles, or to destroy any of them, hauing munition or garded with souldiers for the defence of this Realme, and the same by manifest act doth declare. No; which is an aider, counsellor, comforter, consenter, or abettor

Taking the
castles.

Second deliuerance.

- Vagabond.** 19 **C** Ro^r which being a vagabond, and upon his second conviction for his rogish life, is taken by some person into seruice, from whom he departeth within two yerres. Ro^r he which being twice convicted as a vagabond, doth fall the third time, or more often times to a rogish life. An. 14. El. 5. S. Vagabonds. 6. 8.
- Murder.** 20 **C** Ro^r which is attainted, or conuicted of murder of malice premeditated, or of poisoning of malice premeditated, or of breaking any house by day or by night, any person being in the same house, and thereby put in feare, or of robbing any person in, or nere vnto the high way, or of felonious stealing of any horses, geldings, or mares, or of felonious taking of any goods out of any Church or Chapell, or being indicted or appealed of any of the said offences, and thereupon found guiltie by verdict of twelve men, or shall confesse the same upon his arraignment, or will not answer directly according to the lawes, or shall stand wilfully or of malice mute. 1. Ed. 6. 12. S. Clergie. 13.
- Burglar.** 21 **C** Ro^r which doth practise Inuocation, or Coniuration of wicked spirits, or enchantment, witchcraft, charme or sorcerie, whereby any person shall be killed, or whereby any person shall be consumed, or lamed in his body, or his goods wasted, being once convicted of the said second offence before. 5. El. 16. S. Coniuration. 1.
- Coniuration. Witchcraft.**
- Forging of evidences.** 22 **C** Ro^r which is convicted or condemned of any the offences prohibited by the statute provided against the forging of evidences and writings by any of the wayes or meanes limited in the said statute, or doth elisfoones commit any of the said offences. 5. El. 14. S. Forger. 4.
- Souldiour.** 23 **C** Ro^r any souldier seruing the Queene in her warres, in any of her dominions, or on the Sea, or beyond the Sea, or in Scotland, which departeth without licence of the Lieutenant, high Admirall, vice Admirall, Warden, or Capteine, and in their absence of their Lieutenants. 1. Ed. 6. 2. S. Capteines. 3.
- 24 **C** Ro^r any person which is attainted of any of the offences made felonie by the statute provided 23. El. against seditious words and rumors uttered against the Queenes Maiestie. 23. El. 2. S. Newes. 5. 6. 7.

Second deliuerance.

As soone as return of the cattell is awarded to him which did distress the same, the Shriefe shall be commanded by a iudiciall writ to make returne of the cattell to the partie which tooke the distresse, in which writte shall be expressed, that the Shriefe shall not deliuer them without a writ making mention of the iudgement given by the Justices, which cannot be without a writ issuing out of the roules of the same Justices before whom the matter was in sute. And if he which is distressed to go vnto the Justices, doe desire to haue the same cattell repleued vnto him againe, he shall haue a iudiciall writ that the Shriefe (taking suretie to prosecute the surety and

and to returne the cattell of their price, if returne be awarded) shall deliuer unto him his heaffe, or cattell before returned, and he which distreined, shall be attached to appeare at a certeine day before the Justices, before whō the sute shalbe determined in the presence of the parties. And if he which repleued the cattell do make default againe, or for any other cause, returne of the distresse shalbe awarded now twice repleued, the distresse shall for ever remaine irrepleuttable. But if a distresse be taken of new, and for a new cause, the processe used in the repleuin shalbe awarded. *III. 2. 13. Ed. 1. 2.*

* 1. Where the auowant in second deliuerance, shall recouer dammagages and costs, *8. Dammagages, 8.*

* 2. That auowrie, iustification, or cognuſance may be made vpon the land, in second deliuerance, without naming any person certeine. See *Auowrie. 1.*

¶ Sewers.

Commissions of Sewers &c. shall be directed in all parts within this Realme from time to time for ever (*3. Ed. 6. 9.*) where and when need shall require according to the forme and effect hereafter ensuing, to such substantiall and indifferent persons as shall be named by the lord Chancellor, and lord Treasurer of England, and the two chiefe Justices for the time being, or by thre of them, whereof the lord Chancellor to be one.

2. **E**lizab. &c. know ye that forasmuch as the walles, ditches, banks, gutters, sewers, gottes, callices, bridges, streames, and other defences by the coasts of the seas and marshy ground, being and lying within the limits of A. B. or C. in the countie or counties of L. N. or in the borders or confines of the same, by rage of the sea, flowing, and reflowing, and by meane of the trenches of fresh waters descending & hauing course by diuers waies to the sea, be so dirupt, lacerate, and broken. And also the common passages of ships, balengers and boats, in the riuers, streames, and other floods within the limits of A. B. or C. in the countie or counties of L. N. or in the borders or confines of the same, by meane of setting vp, erecting and making of streames, milnes, bridges, ponds, fishgarths, milbams, locks, hebbing weares, hecks, and fludgates, or other like lets, impediments or annoyances be letted and interrupted, so that great and inestimable damage for default of reparation of the said walles, ditches, trenches, sewers, gottes, gutters, callices, bridges, and streames, and also by meane of setting vp, erecting, making, and enlarging of the said fishgarths, milbams, locks, hebbing weares, hecks, fludgates, and other like annoyances intimes past hath happened, and yet to be feared that farre greater hurt, losse and damage is like to ensue, vntill that speedie remedie be prouided in that behalfe: We therefore, for that by reason of our dignitie and prerogatiue royall, we be bound to prouide for the safetie and preservation of our Realme of England, willing that speedy remedy be had in the premisses, haue assigned you, and sixe of you, of the which we will that A. B. and C. shalbe thre, to be our

*The forme of
the commission
of Sewers.*

*Reforming of
annoyances.*

Sewers.

Justices, to surveye the said walles, streames, ditches, banks, gutters, sewers, gotes, calties, bridges, trenches, milnes, mildams, fludgates, ponds, locks, hebbing weares, and other impediments, lets and annoyances aforesaid, and the same cause to be made, corrected, repaired, amended, put downe or reformed, as cause shall requite, after your wisdomes and discretions, and therein as well to ordeine and do after the forme, tenor, and effect of all and singular the statutes and ordinances made touching the premises, or any of them, as also to enquire by the othes of the honest and lawfull men of the said shire or shires, place or places, where such defaults or annoyances be, as well within the liberties as without (by whom the truth may the rather be knownen) through whose defaults the said hurtes and damages hath happened, and who hath, or holdeth any lands or tenements, or common of pasture, or profit of fishing, or hath or may have any hurt, losse, or disadvantage by any maner of meanes in the said places, as well nere to the said dangers, lets and impediments, as inhabiting or dwelling thereabout, by the said walles, ditches, banks, gutters, gotes, sewers, trenches, and other the said impediments and annoyances. And all those persons and every of them, to take, asseste, charge, distraine, and punish as well within the meets, limits, and bounds of olde time accustomed, or otherwise, as els where within our realme of England, after the quantitie of their lands, tenements, and rents, by the number of acres and perches, after the rate of every persons portion, tenure or profit, or after the quantitie of their common of pasture, or profit of fishing, or other comodities there, by such wayes and meanes, and in such maner and forme, as to you or sixe of you, whereof the said A. B. and C. to be three, shall seeme most convenient to be ordeined and done, for redresse and reformation to be had in the premises. And also to reforme, repaire and amend the said walles, ditches, banks, gutters, sewers, gotes, calties, bridges, streames, and other the premises in all places needfull, and the same as often, and where need shalbe to make new. And to cleanse and purge the trenches, sewers, and ditches in all places necessarie. And further to reforme, amend, prostrate, and overthrow all such milles, streames, ponds, locks, fishgarths, hebbing weares, and other impediments and annoyances aforesaid, as shall be found by inquisition, or by your surveying and discretions to be excessive or hurtfull. And also to depute and assigne diligent, faithfull, and true keepers, bailiffs, surveyors, collectors, expeditors, and other ministers and officers, for the safetie, conservation, reparation, and making of the premises, and every of them, and to heare the account of the collectors and other ministers, of and for the receipt and laying out of the money, that shall be levied and payed in and about the making, repairing, reforming, and amending of the said walles, ditches, banks, gutters, gotes, sewers, calties, bridges, streames, trenches, milles, ponds, locks, fishgarths, fludgates, and other impediments and annoyances aforesaid. And to distreine for the arrears of every such collection,

Inquire by
whose default
the damages
chance.

Assessing of
the inhabi-
tants.

Taking away
the imped-
iments.

Officers for
repair of an-
noyances.

taxe,

case, or assesse, as often as shalbe expedient, or otherwise to punish the delin-
quents and detayners of the same, by fines, amerçiaiments, paines, or other like
meanes, after your good discretions; and also to arrest, and take as many
carts, horses, oxen, beastes, and other instruments necessary, and as many
workemen and laboyers, as for the said workes and reparation shall suffice,
paying for the same competent wages, salary, and stipend in that behalfe.
And also to take such, and as many trees, woods, underwoods, and timber,
and other necessities, as for the same workes and reparations shalbe suffi-
cient at a reasonable price, by you, or sixe of you (of the which we will that
A. B. and C. shalbe thre) to be assessed or limited, as well within the limits
and bounds aforesaid, as in any other place within the said Countie or
Counties, neere unto the said places: And to make and ordaine Statutes,
ordinaunces, and prouisions, from time to time, as the case shall require, for
the sauegard, conseruation, redresse, correction, and reformation of the pre-
misses, and of euery of them, and the parties lying to the same necessary and
behoouefull, after the lawes and customes of Romney Marsh in the coun-
tie of Kent, or otherwise by any wayes or meanes after your owne wise-
domes and discretions. And to heare and determine all and singular the
premisses, as well at our suite, as at the suite of any other whatsoeuer com-
playnting before you, or vi. of you, whereof A. B. and C. shalbe thre after
the lawes and customes aforesaid, or otherwise by any other wayes and
meanes after your discretions. And also to make and direct all writs, pre-
cepts, warrants, or other commaundements by vertue of these presents to
all Sherifes, bailifes, and all other ministers, officers and other persons, as
well within liberties as without, before you or sixe of you, whereof the sayd
A. B. and C. to be thre at certayne dayes, termes, and places to be prefixed
to be returned and receiued, and further to continue the proces of the same.
And finally to doe all and euery thing and things as shalbe requisite for the
due execution of the premisses, by all wayes and meanes after your discre-
tions. And therefore we commaunde you, that at certayne dayes and places
when and where you, or sixe of you, (whereof the said A. B. and C. to be
iii.) shall thinke expedient, you doe surveye the said walles, fences, ditches,
bankes, gutters, gores, sewers, calceps, ponds, bridges, ridders, streames,
watercourses, milles, lockes, trenches, filthgarthes, fludgates, and other the
lets, impediments, and anoyances aforesaid, and accomplish, fulfill, heare,
and determine all and singular the premisses in due forme, and to the effect
aforesaid, after your good discretions. And all such as ye shall finde negli-
gent, gaine saying, or rebelling in the said workes, reparations, or refoirma-
tion of the premisses, or negligent in the due execution of this our commis-
sion, that ye doe compell them by distresse, fines, and amerçiaiments, or by
other punishments, wayes, or meanes, which to you, or sixe of you (whereof
the said A. B. and C. shalbe thre) shal seeme most expedient, for the speedie
remedie, redresse, and reformation of the premisses, and due execution of the
same.

Taking of
workmen and
things neces-
sary.

Ordinaunces
constituted.

Heare and de-
termine offen-
ces.

Directing of
writs and pre-
cepts.

same. And all such things as by you shalbe made and ordeined in this behalf, as well within liberties as without, that you do cause the same firmly to be obserued, doing therein, as to our Iustices appertaineth, after the lawes and Statutes of this our Realme; and according to your wisdomes and discretions: Saued alwayes to vs such fines and amerciaments, as to vs thereof shall belong. And we also commaund our Sherife or Sherifes of our said Countie or Counties of L. B. that they shall cause to come before you, or vi. of you, (of the which A. B. and C. shall be iii.) at such dayes and places, as ye shall appoint them, such and as many honest men, of his or their Bailiwike, as wel within the liberties as without, by whom the troth may best be knowen, to enquire of the premisses, commanding also al other ministers and officers, as well within liberties as without, that they and euery of them shalbe attendant to you, in and about the due execution of this our Commission. In witness, &c.

All officers shal
be attendant
to the Commis-
sioners of
Sewers.

The Commis-
sioners due tie.

3. ¶ Every such person as shalbe named Commissioner in the said commission, after he hath knowledge thereof, shal effectually put his attendance about the execution of the said Commission, and before he shall take upon him the execution thereof, hee shall take a corporall othe before the Lorde Chancellor, or before such to whom the Lord Chancellor shal direct the writ of Dedimus potestatem to take the same, or before the J. of peace in the quarter Sessions, holden in the shire where such commission shalbe directed. The tenor of which othe hereafter ensueth. 23. D. 8. 5.

The commis-
sioners othe.

4. ¶ Ye shall sweare that you to your cunning, wit and power, shall truly and indifferently execute the authoritie to you giuen by this Commission of Sewers, without any fauour, affection, corruption, dread, or malice to be bozne to any maner person or persons. And as the case shall require, ye shall consent and endeavour your selfe for your part to the best of your knowledge and power, to the making of such wholesome, iust, equall, and indifferent lawes and ordinances, as shall be made and deuised by the most discreete and indifferent number of your fellowes being in Commission with you, for the due redresse, reformation, and amendement of all and euery such things as are contained and specified in the said Commission. And the same lawes and ordinances to your cunning, wit, and power, cause to be put in due execution, without fauour, reede, dread, malice, or affection, as God you helpe, &c. 23. D. 8. 5.

The Commis-
sioners autho-
ritie.

5. ¶ The Commissioners named in any of the saide Commissions according to the purport and effect of the same Commissions, haue authoritie to make and ordeine lawes, ordinances, and decrees, and further to doe all and euery thing mentioned in the saide Commission, according to the purport, effect, words, and true meaning of the same. And the same lawes and ordinances so made, to reforme, repeale, and amende, and make new, from timotoo time, as the cases necessary shall require in that behalfe. 23. D. 8. 5. And al such lawes, ordinances, and constitutions, as be or shalbe duely made

by

by force of any such Commission, according to the tenor and effect limited in any Stat. made, (before 1. App. An. Do. 1571) touching Commission of Sewers, & being written in parchment indented, & under the Seales of the said Commissioners of vi. of them (whereof the one part shall remaine with the Clarke appointed for the Commission of Sewers for the time being, and the other in such place as the same Commissioners of vi. of them shall appoint) shall without any certificat thereto be made into the Chancerie, and without the royal assent to the same had, continue in full force and effect, notwithstanding any determination of any such Commission by Superfedeas, untill such time as the same lawes &c. shalbe altered or repealed by the Commissioners after to be assigned for Sewers in those parts where the same lawes &c. were made, or by vi. of them. 13. El. 9.

How long the Commissioners decrees shall continue.

6 The foresaid act, and all Commissions of Sewers to be directed according to the tenor of the same, shall extend and give authoritie that the Commissioners therein named for the Countie of Glamorgan or sixe of them, (whereof three to be of the Quorum) shall haue full authoritie from time to time to make such lawes, provisions, and decrees within the saide Countie of Glamorgan, for the redresse and sauing the groundes there from hurt or destruction, by reason of land rising out of the Sea, and driven to land by stormes and windes, as they may doe by the saide former act and Commission, for the auoyding of the outrageous course of the Sea, and other waters. 1. Ph. 2. 11.

Commissioners for the countie of Glamorgan.

7 If any person being taxed to any lot or charge, for any lands, tenements or hereditaments, within the limits of any Commission, doe not pay the same, according to the ordinance of the Commissioners, having power of the execution of the said Commission, by reason whereof it shall happen the said Commissioners for lacke of payment of such lot and charge, to decree, and obtaine the same lands &c. from the owner thereof and his heires, to any person or persons for terme of yeeres, terme of life, in fee simple, or in taile, for payment of the same lot and charge: Then euery such decree and ordinance so by them made, ingrossed in parchment and sealed, shall binde euery person, that at the making of the same decree, had any interest, in such lands &c. in vse, possession, reuerſion, or remainder their heires and assignes, and euery of them. 23. H. 8. 3.

The Commissioners decrees shall binde other mens land.

8 The same lawes, ordinances, and decrees made by the saide Commissioners or sixe of them by authoritie of the said Commission, shall binde as well the lands, tenements, and hereditaments of the Q. as all other persons and their heires, and such their interest as they shall or may haue in any lands &c. or other casuall commodities whatsoever, wherunto the said lawes &c. shall in any wise extend, according to the true intent of the same lawes. 23. H. 8. 3. And all scots and lots, summes of money to be rated and taxed by vertue of such commission of Sewers, vpon any of the Q. lands &c. for any thing concerning the articles of the saide Commission, shalbe gathered

The Commissioners decrees shall binde the Q. and all other persons lands.

gathered and leuied by distresse or ootherwise in like maner as shall or may be done in the lands of any other person. And all bills of acquittance signed with the hand of such collector or receiver, as shall haue the collection thereof, by the appointment of the said Commissioners or sixe of them, shall be as well a sufficient discharge to the tenants farmors, and occupiers of the same groundes, so to be charged for the saide summe wherewith their ground shall be so charged, as also a sufficient warrant to euery receiver, auditor, and other whatsoeuer officer of the Q. &c. for the allowance to such tenant, &c. for the same. 3. Ed. 6. 8.

Commissioners shall be dwelling within the same countie.

9. C. No person shall be compelled to be sworn or otherwise bound to sit or travel in execution of any Commission of Sewers, vnlesse he be dwelling within the Countie, whereof hee shall be assigned to be Commissioner, 25. Hen. 8. 10.

Refusal to take the othe.

10. C. If any person assigned to be such Commissioners of Sewers being required by such as shall haue authoritie by the Q. writ or otherwise, to receiue the othe aforesaid, doeth refuse to take the same othe, or vpon that request made, doeth not receiue the same, and that refusall or contempt bee done in the Chauncerie, or returned into the Chauncerie with the said writ, he shall forfeite for the same contempt to the Q. v. marks. And so to lose from time to time v. marks for euery such contempt, as shall be done or returned into the said Chauncerie against any such person, vnlesse that hee in the same Chauncerie doe shew in the said terme wherein such returne shall be made, sufficient cause to be allowed by the Lorde Chauncelour for his excuse in that behalfe. 25. Hen. 8. 10.

None shall sit, except he be sworn.

11. C. If any person do take vpon him to sit by vertue of any of the said Commissions, not being before sworn, in forme as is aforesaid, and according to the tenor of the othe before specified: Or if any person so named and sworn do sit, not hauing lands and tenements or other hereditaments in fee simple, fee taile, or for terme of life, to the cleare peerely value of xl. marks, aboue all charges, to his owne vse, (except he be resident and free of any citie, borough, or towne corporate, and haue moueable substance of the cleare value of one C. li. or els be learned in the lawes of this Realme, and admitted in one of the foure principal Innies of Court for an utter barrister) he shall forfeit xl. li. for euery time that he shall attempt so to doe, to the Q. and to be receiued by A. J. &c. wherein no W. &c. E. or P. &c. 23. H. 8. 5.

Of what kind of degree rules or Commissioners ought to be.

12. C. No farmour for terme of yeeres, of any landes, or tenements lying within the precincts of any such commission of Sewers, which bee or hereafter may be ordered and chargeable by any ordinances or constitutions made or to be made, by vertue of any such Commission, where in hee shall be appointed Commissioner, (not hauing estate of freehold within the Realme of England, in lands or tenements of the peerely value of xl. li.) shall haue power to sitte, or in any wise intermedle with the Execution of such Commission during the time hee shall continue Farmour of any such landes,

A farmer of landes chargeable shall not be Commissioner within the same precinct.

lands, and shall not haue Estate of Freeholde, as is aforesaide: But euery such Commission as hauing respect only to euery such person for such, and so long time as hee shall so continue farmour of any such landes, shalbe adiudged in lawe to be voyde, any thing in the said Commission, or any Statute &c. notwithstanding. But it shal be lawfull for any Commissioner being also a Farmor, and not hauing lands, &c. to the cleare peerele value of xl. li. of freehold, to sit by vertue of the said Commission, and haue his voyce and ful authoritie with others to make and establish Ordinances for Sewers according to the Tenour of the Commission, concerning all lands and tenements within the precinct of euery such Commission, other then such lands &c. as he for the time being shall holde and enioy as Farmor, as hee might haue done before the making of this Statute. 13. Cl. 9.

13. ¶ If any Action of trespassse, or other suite shalbe attempted against any person for taking of any distresse, or any other act doing by authoritie of the said Commission, or by authoritie of any Lawes or Ordinances made by vertue of the same, the defendaunt therein shall and may make auowry, Cognisance, or iustification for the taking of the same distresse, or other act doing, touching any of the Premises, alleaging therein that the said distresse, trespassse, or other act, whereof the Plaintiffe complaineth, was done by authoritie of the Commission of Sewers, for lot or taxe assessed by the said Commission, or for such other act or cause, as the said defendane did by authoritie of the said Commission, and according to the tenour, purport, and effect of the act made 23. H. 8. without any rehearsall of any other matter contained in the said act, or any Commission, statutes, or ordinances thereupon made, whereupon the plaintiffe shalbe admitted to replie, that the defendane did take the said distresse, or did any other act, or trespassse supposed in his declaration of his owne wrong, without any such cause alleadged by the said defendane, whereupon the issue in euery such Action shalbe toynd, to be tried by verdict of xii. men, & not otherwile, as is accustomed in other personall actions. And upon the triall of the issue, the whole matter shalbe giuen on both parties in euidence, according to the truth of the same. And after such issue tried for the defendane, or non suite of the plaintiffe after appearance, the same defendane shal recover treble damages by reason of his wrongfull vexation in that behaife, with his costes also in that part sustained, and that to be assessed by the same Iurie, or writ to enquire of damages, as the case shall require. 23. H. 8. 5.

14. ¶ Euery of the said Commissioners, shall haue liii. s. for euery day that they shall take paine in the execution of his Commission of Sewers. And one Clarke by them assigned ii. shillings for euery day, of the rates, taxes, lots, and waxes that shalbe assessed or lost; by authoritie of the said Commission, and to be leuied and payed by their discretions. And the said Commissioners or sixe of them, shall haue authoritie to assigne of the same rates &c. such reasonable summes of money to the said Clarke for writing of

Notwyt of iustification for a distresse taken by reason of the commission of Sewers.

Damages for the defendane.

The Commissioners and Clerks wages.

Sewers.

of bookes, and proces concerning the premisses, and to the Collectors, Expeditors, and such other as shall take paine in the due execution of the said Commission, as by the saide Commissioners or vi. of them shalbe thought reasonable. 23. V. 8. 5.

No certificate
the Commis-
sion of Sewers.

15. ¶ The said Commissioners shall not be compelled to make any certificate or retorne of any of the said Commissions, or of any their ordinances, lawes, or doings, by the authoritie of any the said Commissions. Nor shall haue any fine, paine, or americiament, set vpon any of them, or any wayes be molested for that cause. But the Clarke appointed for any such Commission shal verely truely extreat all the issues, fines, penalties, forfeitures and americiaments, that shalbe answerable to the Queene &c. And the same extreats shall peerely deliuer into the Eschequer, at such time, and in such manner, as Iustices of the peace ought to doe, by vertue of their commission, vpon paine to forf. to the Queene &c. for every default v. li. 13. Cl. 9.

Howe long the
Commission
shall continue.

16. ¶ Every Commission of Sewers shall continue in force ten yeeres, next ensuing the date thereof, vlesse the same shalbe repealed or determined by reason of any newe Commission in that behalfe made, or by Supersedeas, (for the Queene shall at her pleasure by her writ of Supersedeas out of her Chauncery at any time discharge as well every such Commission, as every Commissioner &c. 23. V. 8. 5.) And at all times after the ende of ten yeeres next ensuing the date or Telle of any Commission of Sewers, all such lawes, ordinances, and constitutions, as were made by vertue of any such Commission, and written in Parchment, indented and sealed with our certificate thereof, or the assent Royall to the same had, as is aforesaid) shall notwithstanding the determination of any such Commission, by the expiration of the terme of ten yeeres, likewise continue in force by the space of one whole yeere then next ensuing.

Iustices of
peace in some
case shall exe-
cute the Com-
mission of
Sewers.

And the Iustices of Peace of the shire and shires where the same lawes, ordinances, and constitutions, are to be executed within their seuerall Commissions and limits, or vi. of them (whereof ii. to be of the Quorum) shall haue authoritie by the space of one whole yeere next after the expiration of every such Commission to execute the same lawes, ordinances, and constitutions, and every of them, in as ample manner as the Commissioners appointed in any Commission so expired, might or should haue done, to all intents as if the said Commission had continued in force. But if any new Commission of Sewers shalbe made within the said yeere, then immediately from and after such Commission newly made and published, the power of the said Iustices of the peace, and every of them in any wise concerning the execution of any such lawes, ordinances, and constitutions of Sewers shall utterly cease. 13. Cl. 9.

Commission
within the
Duchie of
Lancaster.

17. ¶ As often as such Commission shalbe directed to any persons for the reformation of, or in any of the premisses specified in the saide Commission, within the fees, liberties, or possession of the Duchy of Lancaster: Then such Commissioners as shal execute the same, shall be appointed by the Lord Chancellor,

Chancelor, and Lord Treasorer of England and the said ii. chiefe Justices of either Bench, and the Chancelor of the said Duchy for the time being, or thre of them, whereof the said Lord Chancelor, and the Chancelor of the said Duchy to be two. And in euery such case two commissions shalbe awarded, according to the tenour of the Commission aboue expressed, one thereof vnder the great seale of England, and the other vnder the seale of the saide Duchie. And as often as such commission shalbe directed to any persons for the amendement of, or in any of the premisses specified in the said Commission, within the fees, liberties, and possessions of the principalltie of Wales, the countie Palantine of Chester, or within the fees, liberties, and possessions of any other place, where there is libertie and iurisdiction of countie Palantine: In euery such case two Commissions shalbe awarded, according to the tenour of the Commission aboue expressed, one thereof vnder the great seale of England, and the other vnder the vsuall seale of the countie Palantine, in maner and forme, as is aboue prouided for the Duchy of Lancaster. 23. H. 8. 5.

18 ¶ The Chaunceloz, and such other as shall haue the custodie of the seales of the said principalltie of Wales, or the countie Palantine of Chester, or within the fees, liberties, and possessions of any other place, where there is libertie and iurisdiction of countie Palantine, vpon reasonable request, and vpon the sight of the Commission vnder the great seale, shall without delay make out another Commission vnder the seale of the saide Countie Palantine, according to the tenour of the Quenes Commission to them shewed vnder her great seale, and those Commissioners as shalbe named by the Lord Chaunceloz, Lord Treasorer, and the ii. chiefe Justices, or by thre of them &c. (except it be within the fees and liberties of the Duchy of Lancaster) wherein the Commissioners shalbe named, and Commissions made, as is before ordeined. 23. H. 8. 5.

19 ¶ The said Commission from time to time, as the case shall requite, shall be obtained without any money or other charge to be payed for the seales or wryting of the same, vntesse it be to the Queene ii. shillings vi. d. for the seale of euery Commission, and for the wryting and intolling of any one Commission v. s. and not aboue. 23. H. 8. 5. And such and like fees, and none other, nor more shalbe at any time payed or demaunded for any Commissions, and wrytes of Dedimus potestatem, to be sued out vnder the seale of the Duchy, as be mentioned in the saide former act, to be payed in the Chauncerie for Commissions and wrytes of Dedimus potestatem, to be obtained from thence, &c. 3. Ed. 6. 8.

¶ Sheepe.

NO person shall bryng, deliuar, sende, receiue, or take, or procure to be brought, deliuered, sent, or receiued into any shippe or bottome, any Rams, sheepe, or lambes, or any other kinde of sheepe being alive, to be conueyed out of any the Quenes dominions, vpon paine that euery such person, his

Commissions
in Wales and
Counties pa
lantine.

The fees for
Commissions.

Transporting
of Sheepe.

Sheepe.

his aydoys, abbettoys, procurers, and comforters, shall for his first offence forfeite to the Q. and J. all his goods forever, to be recovered &c. wherein no W. &c. E. P. &c. And further every such offender shall suffer imprisonment one whole yeere without baile or mainepysse, and at the peeres ende, shall in some open market towne in the fulnesse of the market, on the market day haue his left hande cut off, and that to be nayled vpon the openest place of such market. 8. El. 3.

The second offence felony.

2 ¶ And every person feloniously offending against this Statute, shall be adjudged a felon, and shall suffer death as in cases of felonie. But this act shall not extend to any corruption of blood, or be prejudicial to any woman clayming dowry, by or from any such offender. 8. El. 3.

No person shall keepe above 2000. sheepe.

3 ¶ No person shall keepe, occupie, or haue in his possession, in his owne proper landes, nor in the grounds of any other, which he shall haue or occupie in farme, nor otherwise haue of his owne proper cattell in vse, possession, or propertie by any manner of meanes, or couin, about the number of two thousand sheepe at one time, within any part of this Realme, of all sorts and kinds, (alwayes accompting vi. score to the C. and x. such hundreds to the thousand) vpon paine to forfeite for every sheepe that any person shall haue or keepe about the number limited by this act iii. s. iiii. d. to y^e Queene and J. &c. to be received by A. &c. wherein no W. E. P. &c. But Lambes vnder the age of one whole yeere, and as much as shalbe from the time of the falling of them, vnto the feast of the Natiuitie of S. John Baptist, shal not be taken for sheepe prohibited by this Statute. 25. H. 8. 13.

Lambes.

Sheepe coming by exchange or marriage.

4 ¶ If any person hauing sheepe of his owne, happen to be made executor, or to be administrator to any person which had sheepe at his death, or happen to be married to any person which shall haue sheepe at the time of the marriage, by reason whereof the saide person shall by such meanes haue about the said number of ii. thousand, then hee shall lose no penaltie for hauing about the number of ii. thousand sheepe by such meanes, so that within one yere next after such aduancement, he do put to sale, or otherwise dispose so many of the said sheepe so to him aduanced, or els of his owne sheepe that he had before, so that about one yeere hee shall not keepe, haue or occupie by any such meanes, or otherwise by any fraud, any more number of them, then is before limited, vpon paine before rehearsed. 25. H. 8. 13.

Sheepe giuen by Will to a child within age.

5 ¶ If any person by his last will giue to any child within age, any number of sheepe, and appoint them by his said last will to be kept by his executors, or by any other person, vntill the foresaide child shall come to a certaine age limited by his will: then after the death of the testator, the saide sheepe so being in the possession of the executors, or of any other person to the vse of any such child within age, for the time that hee shalbe limited to haue the said sheepe by the will of the testator, shall not be accompted against the said executors, nor any person so hauing the sheepe, for the intent aforesaid, any of the number of the said sheepe prohibited by this act. 25. H. 8. 13.

6 ¶ Every

6 ¶ Every person being the Queenes temporall subiect, and boine vnder her ohepsance, which shall haue or be seised of inheritaunce, in possession, or in vse, or that shall haue ioynter in vse or in possession, or shalbe tenant in bowter, or by the curtesie, of, or in any manors, lands, tenements, pastures, feedings, or libertie of foldage, within any part of this Realme of England, Wales, or the marches of the same, may haue, keepe, and maintaine vpon the same, his owne demesne lands, and all other his pastures, feedings, and fold courses, which he so hath, as many his owne sheepe and lambes, in number to his proper behoofe, as he lawfully might haue had and kept vpon the same at any time befoze the making of this act. 25. H. 8. 13.

¶ The person may keepe vpon his inheritaunce &c. as many sheepe as he will.

7 ¶ In case any such person hauing any such estate in vse, or in possession, of, or in any lands, tenements, pastures, feedings, or liberties of folde courses, do keepe vpon the same the number of 2000. sheepe or aboue, then he shall not in any wise keepe or haue any sheepe aboue the saide number of two thousand vpon any lands, pastures, or feedings, which he shall haue in farme, or otherwise, vpon paine of forfaiture for euery sheepe beside the saide number of 2000. iii. s. iiii. d. 25. H. 8. 13.

¶ He that keepeyth 2000. sheepe vpon his inheritaunce, shall not keepe any vpon farme.

8 ¶ In case the said demesne lands, tenements, pastures, feedings, and liberties of folde courses, of any person befoze rehearsed, suffice not for the feeding, pasturing, and keeping of two thousand sheepe, then any such person may haue or feede vpon his saide demesne landes, and vpon his farme holdes (which he lawfully may haue) to the saide number of 2000. sheepe, and not aboue, vpon paine of forfaiture for euery sheepe aboue that number iii. s. iiii. d. 25. H. 8. 13.

2000. kept vpon demesne, and farmes.

9 ¶ It shall be lawfull to euery person keeping a household, to haue from time to time such conuenient number of sheepe, aboue the number expressed in this act, as shalbe necessary for the onely expences of his household, to be prouided, kept and fedde, in and vpon his owne landes, or other landes such as he lawfully can prouide for, in farme, or otherwise, so that hee at no time shall haue for the expences of his household, or by colour of the same, aboue the number to him limitted by this act, any number of sheepe moe then shall suffice for the onely expences of his household for one yere without fraude or couin, 25. H. 8. 13.

¶ Sheepe for the maintenance of house, aboue 2000.

10 ¶ It is lawfull for all spirituall persons to keepe such, and as many sheepe vpon their owne landes, and after such maner, and none other wise, as they might haue done befoze the making of this act. 25. H. 8. 13.

¶ Spirituall persons.

11 ¶ No Lord, owner, or farmor, of any libertie of folde courses, within any towne, city, village, or hamlet, within any of the Counties of Norfolk and Suffolke, shall take in farme for terme of yeres, or otherwise, any quillet of land or pasture, that is to say, any number of acres of land or pasture, appertaining to any other person or persons, lying within the limite, extenc or precinct of the said libertie of the saide folde course, but he shall suffer the saide person being for the time owner, or lessee of the saide

¶ Fold courses in Norfolk and Suff.

Ships & Shipping.

quillet, to manure and pasture the same, and also suffer the sheepe of the said owner or farmor of the said quillet, after the rate of the same quillet, to goe with the flocke of the owner, farmor, or occupier of the said libertie, paying the customarie charges for the keeping and feeding of the same, after the rate and vse of the countrey there commonly vsed, without any interruption therein to be made by the saide owner, farmor, or occupier of the said libertie, vpon paine of forfeiture for euery time that any such person hauing any such quillet that shalbe disturbed of keeping or pasturing any of his sheepe so to be fedde and kept after the rate of his quillet for euery such sheepe lii. s. iiii. d. But this branch concerning quilletts shall not be available to any owner or occupier of any such quillet, to claime or vse any such pasture or feeding of sheepe in any such folde courses, but onely where the tenants, owners, and occupiers of any such quilletts, haue, had, or might haue had heretofore, and of due tie vsed to haue feeding in the said sold courses, by reason of their occupations of the same quilletts and none other wise. And where they haue not vsed ne ought to haue any sheepe kept within any such sold courses, by reason of the said tenures, the owners, or occupiers of such sold courses may take such quilletts lying within their sold courses in ferme, agreeing with the owners, or occupiers of the saide quilletts for the same. 25. H. 8. 13.

Within what
time the suite
shall be com-
menced.

No person shalbe put to any answer, or losse of any forfeiture, by vertue of this act at the suite of any the Queenes subiects, by action, bill, plaint, information &c. except the suite be commented within one yere next after the offence committed, nor by reason of any presentment, action, or information at the Queenes suite, except the same be made for the Queene within thre yeres next after the offence committed. 25. H. 8. 13.

In what sort, at what time, and how many sheepe any Purueyours for the Queenes house, may take at one time. S. Purueyours. 9.

Shippes, Shipping.

Transporting
of fish taken in
English mens
ships.

It is lawfull to euery of the Queenes subiects, at his pleasure to carry land transport out of this Realme, in the Shippes or other vessels of any of the subiects aforesaid being with cross sailes, all and euery kindes of Herring, and other Sea fish to be taken vpon the seas, by any of the saide subiects. And euery person which shall by vertue of this Act, transport any herring or other sea fish from any port or harborough of this Realme, to any place out of the Queenes dominions, shalbe free from payment of any Subsidie, Custome, or Bondage money for the same fish so transported, during the space of five yeres, from the ende of the Session of the Parliament begunne and holden 2. Aprilis. Anno. 13. Eliz. and from thence to the ende of the next Parliament after the said five yeres to be summoned, and from thence during the Queenes pleasure. Anno 5. Eliz. 3. 13. Eliz. 11. But neither the Paioz, BURGELLES, nor inhabitants of Kingston vpon Hull shall take advantage of this Statute, for carrying herrings or salted fish to any

Ports

Portes beyond the Sea, 5. Eliz. 5. 27. El. 11. 31. Eliz. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

2 It is not lawfull to any person in any place within this Realme to set price, make any restraint, or take or demaunde tolle, or take of any sea fish brought into this Realme, being taken by any of the Queenes subjects, in the ships or other vessels of the same subjects, upon paine to every person offending contrary to the meaning hereof, to forfeite the value of the fish so restrained, prised, colled, or taxed, any libertie, custome, graunt, privilege &c. notwithstanding. But this acte shall not bee prejudiciall to the Mayor, Burgesse &c. or any other Officer of Kingston upon Hull; but every of them may take all such tolle, customes, and summes of money of every such person as is limited in an acte made. 33. Hen. 8. 33. 5. Eliz. 5. 27. Eliz. 11. 31. El. 10.

No price shall be set, or tolle taken of fish taken in English mens ships.

3 It shall not be lawfull to any person to cause to be laden and carried in any bosome, whereof any stranger or strangers boine then be owners, shipmasters, or part owners, any things of what kinde or nature soever they bee, from one Port or Creeke of this Realme, to another of the same Realme, upon paine to forfeite all the goods so laden or carried, or the value thereof. 5. El. 5. 27. El. 11. 31. El. 13.

Conveying in strangers ships from one Port to another.

4 No person shall bring into this Realme of England, or any part of the same, any wine coming out of any of the Countreys belonging to the Crowne of Fraunce, or any Woad called Cholofo woad, in any other vessell, but onely in such, whereof some subject of the Queenes &c. shall be then onely owner, or part owner, upon paine to forfeite all Wines and Woad brought contrary to the meaning hereof (according to the meaning of a Statute made 4. Hen. 7. 10. concerning Wine of the Duchie of Gascoigne and Guyon,) except that there may be brought into Wales, or any part within the Countie of Monmouth, Rochel wines. 5. Eliz. 5. 27. El. 11. 31. El. 10.

No French Wine or Cholofo woad shall be brought in strangers ships.

5 But it shall be lawfull for any person or persons being strangers boine, to bring yeerely in any ship or vessell, whereof any stranger or strangers boine shall be owner &c. into any of the Havens, Portes, or Townes of the Isle of Man, any Wines made in any of the dominions belonging to the Crowne of Fraunce, and in any of the same Portes or townes, to discharge the said Wine so brought, so that there be not brought & discharged by the same strangers, in any such strangers vessels in any one yeere, in, or at the same Havens, Portes, and townes, or any of them, above C. tunnes at the most. In like manner, and upon the same condition may strangers boine, bring in strangers shippes, any Wines made in the dominions of Fraunce, into the Havens, Portes, and Townes of Chepstowe, and Newport, in the Countie of Monmouth, and of Cardiffe, Carnarvon, Beaumarres, and other Portes, Havens, and townes of Southwales & Northwales, or any of them, over and beside all Rochel wines heretofore allowed in this act, to be brought &c. Saving to the Queene her heires &c. all such duties as

Wine brought in strangers ships.

Wine brought in strangers ships.

Wine brought in strangers ships.

Wine brought in strangers ships.

Wine brought in strangers ships.

Underling up
on the sea at
fishing time.

he ought to haue for the saide wines &c. 5. *El.* 3. 27. *El.* 11. 31. *El.* 10. to continue to the ende of the next Parliament, now next ensuing.

6. *¶* No person vsing any Shippe, boate, or vessel called Catche, Ponger, or Picard, or other vessel of like vse, shall in the time of common fishing upon the Sea coastes of Norfolk, and Suffolke, betweene the xiiii. day of September, and the xiii. day of Nouember, from Sunne setting to Sunne rising, anker vpon the maine Sea, or in the common streame or trade of fishing, where the fisher men vse to vsue, vpon paine to forsaite their Catch, Ponger, Picard &c. with the tackell and all the fish in the same or the value thereof, the one halfe to the Queene her heires &c. the other halfe to the Bailife, Burgesles, and comminaltie of great Warmouth, to be imployed to the recompensing of dammages to the partie, whose Nettes shall be rut, and to the building and repairing of the decayed Hauen there, and to be taken by way of seisure, or otherwise to be recovered by A. J. &c. 13. *Eliz.* 1. 1.

1. That a Denizen which shippeth any goods in a Caricke or Galley, shall pay all customes, and Subsidies as an Alien. S. Customes, 2.

2. That a ship shall be forfeited wherein is transported any Fugitiue, Gold or Siluer, without the Queenes licence. S. Fugitiues, 1.

3. Where, in what case, and in what maner it shall be lawfull for the owner of a Ship or a Shipwright to take an Apprentise. S. Laborers, 30.

4. At what time and place the Master of Shippe shall receiue and discharge his loading. S. Marchants, 5. 6.

5. That a Master of a Shippe shall giue notice to a Customer of his loading, time of departing &c. S. Marchants, 7. 8.

6. That the Master of Ship shall not permit any brasse, Metal &c. to be transported but shall disclose the same. S. Brasse, 3.

7. That a shippe shall be forfeited wherein is transported Corne, Beere, Butter, Cheese, Herring, or wood, without licence. See Corne, 1.

8. In what case a ship shall be forfeited, wherein is transported any Leather, Tallow, or raw hides. S. Leather, 39.

Sherifes.

A sherife must
haue sufficient
land.

Such shall be
sherifes as
may attend.

The sherif shall
continue within
his countie.

None shall be
sherif or vnder
sherife above
one peere.

NO man shall be sherife in any Countie, except he haue land sufficient in the same Countie, to answer the Queene and her people. 9. *Ed.* 2. 2. *Ed.* 3. 5. 4. *E.* 3. 8. 5. *Ed.* 3. 5.

2. *¶* No Steward or Bailife of any great Lord, shall be made Sherife, except he be put forth of seruice, but such a sherife shall be appointed which may wholly attend to serue the Queene and her people. *Lincolne.* 9. *Ed.* 2.

3. *¶* Every sherife within England shall dwell in his proper person within his bailiweke, for the time that he shall be officer. 4. *W.* 4. 5.

4. *¶* No Sherife, vnder sherife, or Sherifes Clerke, shall remaine in his bailiweke or office above one peere, and after that peere, an other fit and sufficient person shall be obtained in his place. 14. *Ed.* 3. 7. 43. *Ed.* 9. 3.

And

And none that hath bene Sherife of any Countie one whole peere, shalbe appointed Sherife of that Countie by the space of thre peeres next ensuing, if there be any other sufficient of lands and goods in the same Countie to answer to the Queene and her people 1 R. 2. 11. (The vnder sherife, and all other Officers within the Citie of London, the vnder sherife, and all other officers of Sherifes within the Shire of the Towne of Bristol. 6. H. 8. 18. and such Counties in which any persons at the time of the foresaid Statute made, viz. 25. February Anno Dom. 1444. were inheritable to the office of Sherife, and the letters patents made to them of the office of Sherife, vnder sherife, and Sherifes, Clarke onely except. 23. H. 6. 8.) And if any Sherife, vnder sherife, or Sherifes Clarke, doe occupie the office of Sherife, vnder sherife, or Sherifes Clarke, contrary to the foresaid Statutes, or contrary to the effect or intent of any of them (except before excepted) then he shall forfeite C. pound yearly, as long as hee doth so occupie. And every pardon made for such offence, occupation, or forfeiture of the summes before recited, shall be voyde. And all patents to be made of any of the said offices, for terme of peeres, for terme of life, in fee simple, or in fee taile, to any of the Queenes liege people, (except before excepted) shall be voyde notwithstanding any clause or sentence of Non obstante put in such patents. And whosoever doeth take vpon him to receiue, or occupie the said office of Sherife, by vertue of any such graunts or patents for terme of peeres, for terme of life, in fee simple, or fee taile, shall be for ever disabled to be or beare the office of Sherife in any Countie of England. And every of the Queenes liege people which will, may sue for the saide summe forfeited against him which doeth forfeite the same, in an action of debt in his owne name, and the Queene shall haue the moitie of all that which is recovered, and hee that sueth, the other. 23. Hen. 6. 8. But every olde Sherife of every Countie, hath full authoritie aswell lawfully to execute and returne every writ, precept, or warrant in every of the Queenes courts of recorde at Westminster deliuered to him, as to doe and execute every other thing which to the office of Sherife lawfully pertaineth at all times during Michaelmas terme, and Pillarie terme, vnlesse he be before the same time lawfully discharged of his occupation of Sherife without sustaining any damage, forfeiture, or paine. 12. Ed. 4. 1. 17. Ed. 4. 6.

5. ¶ No Sherife shall let to farme in any maner his Countie, nor any of the Bailiwikes, hundreds, nor wapentakes. And the Sherife (among other articles compassed in his othe) shall be from time to time sworn, that hee shall not let his Bailwike to farme. 4. H. 4. 5. 23. H. 6. 10.

6. ¶ No Sherife, vnder sherife, Bailife of franchise, nor any other Bailife, by occasion, or vnder colour of his office, shall take any other thing by themselves, or by any other person to their vse, or profit of any person by any of them arrested, or attached, nor of any other for them, for the omitting of any arrest, or attachment to be made by their bodies, or of any person, by

Patents of Sherifswike.

Where a Sherife may occupie above one peere.

The Sherife shall not let his countie nor bailwike to farme.

Shirifes.

The shirife
and his bailifs
sees for ar-
rests.

The shirifes
dutie for ma-
king a copy of
a panell.

Bailif of
prisoners, for
persons ar-
rested.

The shirife re-
turning Capi
corpus, vel Red-
diti se.

Obligation for
apparance.

The shirife of
euery shire
shall make a
deputie in euery
Court.

any of them by force or colour of their Office arrested or attached, for fine, fee, mainprise, letting to baile, or for shewing any ease or fauour to any such person so arrested, for their reward or profit, but such as followeth, by the shirife twentie pence, the Bailife which maketh the arrest or attachment foure pence, and the Gayler (if the prisoner be committed to his ward) foure pence, 23. D. 6. 10.

7 ¶ The shirife, vnder shirife, shirifes Clarke, Newarde or bayliffe of franchise, seruant to bailiffe or Coroner, shall not take by colour of his Office, by himselfe, nor by any other person to his vse, any thing of any person for the making of any returne or panell. And for the copy of a panell iiii. d. 23. Hen. 6. 10.

8 ¶ The shirifes, and all other Officers and ministers aforesaid, shall let out of prison, all maner of persons by any of them arrested, or being in their ward by force of any Writte, bill, or warrant, in any action personal, or by reason of any indictment of Trespas, vpon reasonable suertie of sufficient persons hauing sufficient within those Counties where such persons be so let to baile or mainprise, to keepe their dayes, in such places where the said writs, bills, or warrants doe require, (onely except those persons which shalbe in their ward by condemnation, execution, Capias vel agatum, or Excommunicatum, suertie of Peact, and all such persons which shalbe committed to ward by the speciall commaundement of any Iustice, and vagabonds &c.) But if the shirifes returne vpon any person Capi corpus, or Redditi se, they shall be chargeable to haue the bodies of the saide persons at the dayes of the Returnes of the saide writtes, billes, or warrants, in such maner as they were chargeable before the making of this act, 23. Hen. 6. 10.

9 ¶ No shirife, nor none of the Officers, or Ministers aforesaid, shall take or cause to be taken or made, any Obligation for any cause aforesaide, or colour of their office, but onely to themselves, of any person, nor by any person which shalbe in their ward, by course of the Lawe, but in the name of their Office, and vpon condition written that the saide Prisoners shall appeare at the day contained in the said writs, bill, or warrant, and in such places, as the saide writs, billes, or warrants shall require. And if any of the said shirifes, or other Officers aforesaid, take any obligation, in any other forme by colour of their offices, it shalbe voyde. And hee shall take no more for the making of any such obligation, warrant, or precept by him to be made but iiii. d. 23. D. 6. 10.

10 ¶ Euery of the saide shirifes shall make yeerely a deputie of record in the Queenes Courts of Chauncery, Kings Bench, common place, and in the Eschequer, before that they shall returne any writtes, to receiue all maner of writtes, and warrants to be deliuered vnto them, 23. D. 6. 10. And euery shirife of euery the twelue Counties in Wales, and of the counties palantine of Lancaster, Chester and the citie of Chester, shall haue in the

Kings

the Kings Bench, and common place, one sufficient deputie at the least. 5.
Ed. 6. 28. S. Exigent. 7.

11. **A**ll Sherifes, Undersherifes, Clearkes, Baylifes, Baylors, Con-
roners, Stewards, Bailifs of franchises, or any other officers or ministers,
which doe contrary to this foresaide ordinance made 23. Hen. 6. 10. in any
point of the same, shall loose to the partie in this behalfe indamaged or grie-
ued his treble damages, and shall forfeit xl. li. at every time that any of them
doe the contrary in any point of the same, whereof the Queene shall haue
the one halfe to be employed only to the vse of her house, and the partie that
will sue the other halfe. But the Warden of the Fleete, and of the Queenes
palace at Westminster for the time being, shall not be preiudiced by this or-
dinance in his due tie of his office. 23. H. 6. 10.

12. **S**herifes in their turnes and otherwise, when they haue to in-
quire of malefactors by the Queenes commandement or by vertue of their
office, shall make such inquisitions of those offenders by xii. lawfull men at the
least which shall put their scales to those Inquisitions (and the rolle of the
inquisition shall be indented, whereof one part shall remaine with the indic-
tors, & the other with the Sherife or other which taketh the Enquest, so that
the indictment, shall not be imbeisled. 1. Ed. 3. 16.) And if the Sherifes doe
imprison any other then those which be indicted by such inquisitions, they
which so be imprisoned, shall haue their action of false imprisonment a-
gainst the Sherife, as they should haue against any other person which
should imprison them without warrant. And the foresaide ordinance pro-
vided for Sherifes shall be obserued of euery Bailife of libertie. 23. H. 6. 10.
Ed. 1. 13. But if any indictments or presentments shall be taken before any
Sherifes of Counties, their Undersherifes, Clearkes, Bailifes or mini-
sters at their Turnes, or Lawdayes, They nor none of them haue power to
attache, arrest, or put in prison, or to leuie any fines or amercements of any
person or persons, so indicted or presented by reason or colour of any such
Indictment or presentment, nor to take of any such person so indicted or
presented any fine or ransome, but they shall bring and deliuer all such in-
dictments and presentments to the Iustices of Peace at their next Sess-
ions of the Peace, that shall be holden in the Countie where such indictments
and presentments shall be taken. And if any of the saide Sherifes, under-
sherifes, Clearkes, Bailifes, and their ministers doe not bring, deliuer, and
present all such indictments or presentments so taken before them in their
turnes, or Lawdayes, at such Sessions of the Peace before the saide Iusti-
ces of Peace, Then they and euery of them that so shall faile thereof, shall
forfaite to the Queene xl. pound at every time that they or any of them doth
contrary. 1. Ed. 4. 2.

13. **T**he said Iustices of peace haue authority to award proces upon
all such indictments and presentments, as the lawe doeth require, & in like
sort as if the same were taken before the said Iustices in the said Countie.

¶ p. liii.

And

Forfeitures.

Wardens of
the fleete, and
of the palace at
Westminster.

The order of
indictments
taken in the
sherifes turnes.

Indictments
taken in the
sherifs turnes
shall be deliuer-
ed to the Ius-
tices of peace.

Iustices shall
award proces
against those
which be in-
dicted in the
sherifs turnes.

Sherifes?

And also to arraigne, and deliuer all such persons so indicted and presented before the said Sherifes, vnderherifes, their Clarke, Bailifes, and ministers, or any of them, in their said auries of lawe dayes. And euery person which shal be indicted or presented of trespassse, shall make such a fine as shal seeme lawfull by the discretions of the same Iustices. 1. E. 4. 2.

Extreates redelivered to the Sherifes by the Iustices.

14. **T**he extreates of the said fines and amerciaments shall be enrolled, and by indenture deliuered to the said Sherifes, vnderherifes, their Clarke, Bailifes, or ministers, or some of them, to the vse and profite of him that was herife in the said Countie, at the time of such indictments, or presentments taken. And if any of the said Sherifes, their vnderherifes, Clarke, Bailifes, or ministers, doe arrest, attach, or put in prison, or cause any fine, or ransome to be taken, or leuie any amerciament of any person so indicted, or presented, by reason of any such indictment, or presentment, taken before them at their turnes or lawdayes, before that they haue proces from the said Iustices of Peace, or extreates deliuered out of the said indictments or presentments: Then the said Sherife which so doeth, shall forfeite an hundred pound, the one halfe to be imployed to the expences of the Queenes house, and the other to the partie indamaged, which shall haue an A. of debt at the common Lawe, and like proces as in an action of debt, wherein no W. E. 13. c. 1. E. 4. 2.

Sherifes of London Grauntes of fines.

15. **B**ut this act doeth not extend to the Sherifes of London, concerning any indictments or presentments taken within the sayde Citie, nor to any person which hath grauntes of any fines or amerciaments by any letters patents of any of the Queenes progenitors, bearing date before the 1. day of December, Anno. 1. E. 4. and An. Dom. 1461. nor to any person hauing any liberties or franchises by any of the said letters patents, or in any other manner by prescription. 1. E. 4. 2.

No plaints shal be entred but where the plaintife or his Attorneys is present.

16. **N**o sherifes, vnderherifes, Shire Clarke, neither any person in their names, nor by their commaundement, shall take and enter any plaints into their bookes, in any mans name, vnlesse the partie plaintife be in proper person present in the Courtes, or else by a sufficient attorney or deputie that is knowne to be of good name and disposition. And the same plaintife shall finde pledges to pursue his sayde plaint, such persons as are knowne there in that Countie, and the plaintife shall haue but one plaint for one trespassse, or contract, and if the said Sherifes, Underherifes, Shire Clarke, take, enter, or cause to be entred, any moe plaints then the plaintife supposed that hee hath cause of action against the defendant: Then the sayde Sherife, Underherife &c. that offendeth, shall forfeite for euery default fourtie shillings to the Queene and Informer &c. to be recovered in the Eschequer. And ouer that the Iustices of peace in the same Countie, and euery of them, haue authoritie vpon complaint made by the partie so vnlawfully grieved, to examine the said Sherifes, Underherifes, or Shire clerke, and plaintifes. And if they or one of them find by the

Plegij de prosequendo.

Enteing of moe plaints then the plaintife hath cause of action.

Examination by the Iustices of Peace.

examination

examination default in the said Shirifs or in rendering of the said plaints
defaultfully for his advantage, contrary to this act, Then the said Shirife
or shalbe counted and attaind of the same offence, without further enquiring,
and he shall forfeit upon the same examination vñs. to the Queene for ever
ry default, and the said Justices that so shall take the examination, shall cer-
tifye the same within a quarter of a yere, Into the Exchequer, upon paine of
vñs. 11. d. 7. 1. 5.

17. The said Shirifs, Under Shirifs, and Shire clerks, shall make
of cause to be made a sufficient precept to the Bailiffs of the hundreds, to at-
tach, summon, and take the defendants that are to in sure, to appeare and
answere to the said plaints. And if there be any default in the said Bailiffs,
in warning of the said defendants or in executing their office, then the same
Bailiffs shall forfeit for every default to the Queene vñs. 11. d. 7. 1. 5. and be attaind
thereof by like examination of the Justices of peace of every of them, as is
before rehearsed. 11. d. 7. 1. 5.

18. The Shirifs, Under Shirifs, Shire clerks, and their deputies, shall
make none estreats, to leue the said Shirifs amerciaments, until two Just-
ices of peace, (whereof one shalbe of the Quorum) haue had the view and
ouersight of their books, and that the estreats be indented betwixt the said
Justices and the said Shirifs and Under Shirifs, and sealed with their seales,
the one part to remaine with the said Justices, and the other part with the
said Shirifs or Under Shirifs, for the intent to vnderstand if any deceit or
vnttrue demeaning be in them in making of their books 11. d. 7. 1. 5.

19. Those persons which shalbe gatherers of the same amerciaments,
as Bailiffs, or other officers, shall be swoyne by the said Justices, that they
shall take no more money then is forfeited and contained in the said estreats
sealed with the seales of the said Justices upon the same paine of forfeiture
as before is rehearsed, thereof the same gatherers to be conuicted by exami-
nation of the Justices, or one of them 11. d. 7. 1. 5. Neither shall any
Shirife be charged to leue any issues, nor shall leue any before the same
goe out of the Exchequer by estreats. And every man shall be charged of
chose issues forfeited as well as of amerciaments. And if the Shirife will re-
turne the issues of any recognisance, pledge, or mainpernor, which at the time
of the returne, was not sufficient to answer the said issues and amercia-
ments, the Shirife himselfe shall answer, and shall be therewith charged
in the Exchequer. And if the Shirife returne the names of any mainpernor,
or of other but according to the tenor of the writs to him directed, or do
returne the names of any pledges, except the same pledges doe therunto
consent, he shalbe grievously punished. 27. Ed. 1. Stat. de finibus.

20. The Justices of peace shall be appointed and named at the gene-
rall sessions after the feast of S. Michael, by him that is Custos rotulorum
of the said countie, or els by the eldest of the Quorum in his absence, to haue
the ouersight and controlment of the said Shirifs, Under Shirifs, and Shire
clerks,

Execution of
precepts by
Bailiffs.

Two Justices
shall view the
Shirifes es-
treats.

Bailiffs shall
be swoyne to
gather but
what is due.

The Shirife
shall execute
his warrants
and no more.

Justices assign-
ed to oversee
the Shirifs
estreats.

Shirifs.

clerks, and other of the said officers, any of the said shirifs amerciaments, And the said Justices of peace upon suggestion or information of the partie grieved, shall make like proceſſe, as in an action of trespassse against the said shirifs, under shirifs, or shire clerks, and other the foresaid officers misde, meaning as is aforesaid, for to appeare before them to answer to the said suggestion or information. 11. H. 7. 15.

No Shirife
shalbe Justice
of peace in the
same county.

21. C. No person having, using or exercising the office of the shirife of any countie or counties, shall exercise the office of a Justice of the peace, by force of any commission or otherwise, in any countie or counties where hee shalbe shirife, during the time only that he shall use or exercise the said office of shirifwike, & every act done by authoritie of any commission of the peace during the time aforesaid, shalbe void. 1. H. 1. Parliament, 8.

Four deputies
to make
replevies.

22. C. If the shirife of any shire (being no citie or towne made shire) do not within two moneths after he hath received his patent of shirifwike, appoint and proclame in the shire towne foure deputies at the least, one dwelling not above twelve miles distant from another, in the shirifs name to make replevies and deliverance of distresses in such manner and forme as the shirife may or ought to do, he shall forfeit for every moneth that he shall lacke such deputies, v. li. to the Q. and A. to be recovered by A. J. or where in no T. E. R. 1. and 2. H. and 9. 12.

Wrongfull
seizure of any
other mans
lands or
goods.

23. C. If any Shirife, Escheator, or other officer of the Queenes, do seile the lands, goods or cattels of any man, surmising that he is outlawed, because he is of the same name that some other person is which is outlawed, the party shall have a writ of Idemptitate nominis, and shall finde surety to the shirife, or other officer, which hath warrant to seile, to answer to the Queene the value of the goods or cattels, in case he cannot discharge himselfe, without any thing therfore paying. And if the shirife or other officer do, doth not take the same, the party grieved may have his sute against him, and recover his double damages. And also the said officer shall receive greivous punishments at the Queenes hands, 37. Ed. 3. 2. And the writ of Idemptitate nominis is maintainable for the executors of every testator, as well as the same action was before maintainable by the person himselfe which was molested by cause or colour of any outlawrie. 2. H. 6. 4.

Idemptitate
nominis.

Tries to en-
quire of the de-
cap of tillage.

24. C. If the commissioners, or two of them at the least to whom any commission under the great scale of England shalbe directed into any shire within England or Wales, to enquire of any offences done contrary to the statutes made for the maintenance of tillage. 4. H. 7. 9. 7. H. 8. 1. 27. H. 8. 22. 5. El. 2. or any of them doe direct their precept to the shirife of any countie within the limits of their commission to warne as many honest men of his bailiwike as the saide commissioners shall appoint to enquire, and presentment make of the offences done contrary to any of the said acts. And if the shirifs to whom such precept shalbe awarded, shall be negligent in serving of the said precept, & returning of the same, at the time & place appointed in the

Constable, Escheator, Coroner, or any other Bailife of the Queenes, shall hold pleas of the Crowne: Magna Charta. 17. *et non de his qui sunt sub*

Deliverance
of cattell, by
the shirife by
on default of
the bailife of
the libertie.

30. ¶ Where the shirife ought to returne the writ to a bailife who hath right to returne the writ, if the bailife of the franchise do not make deliverance of cattell impounded after the shirife hath made the returne unto him, the shirife shall do his office without delay, upon paine of forfeiture of double damages. *West.* 1. 3. *Ed.* 1. 17. *Marleb.* 5. 2. *H.* 3. 2. 1. *et in*

Executing of
processes award-
ed for the res-
pairing of
bridges.

31. ¶ All shirifs and bailifs of liberties and franchises shall truly serve and execute such processes as shall come to their hands from the J. of peace, before whom any presentment shall be had for any annoyance of bridges, according to the tenor and effect of the said processes to them directed, without favour, affection, or corruption, upon paine to make such fine as shall be set upon them, or any of them by the said Justices. 2. 2. *H.* 8. 5. *et in*

Shirifetwikes
divided.

32. ¶ The Queene her heires and successours, Kings or Queenes of this Realme, shall and may verely choose, and make for every of the counties of Essex and Hertford, Somerset and Dorset, Warwike and Leicesters, Nottingham and Darbie, Oxon. and Bark. one sufficient and able person to be shirife of the same, in such like manner, as is and hath bene used to be made for any other countie within this Realme. And every person which shall be appointed shirife for any of the said counties shall be accountable, and used in the order of his account, and all other things and allowance to him made in the Eschequer and all other courts and places, in such manner and forme, as is commonly used for shirifs in like cases. *An.* 8. *El.* 16. 23. *El.* 22. 1. *et in*

But halfe the
charges shall be
paid for shirif-
wikes divided.

33. ¶ No shirife chosen and made of any one of the foresaid counties, shall pay in any court of record for any duetie belonging properly to the office of shirife, any other fees, or charges then onely the one halfe of the charges and fees which he should be compelled to have payed, if he had bene shirife of two of the said shires and counties, as before the making of this act was used. 8. *El.* 16. 13. *El.* 22.

34. ¶ Per stat. 7. R. 2. 6. Every shirife of England ought in proper person to make proclamation of the statute of Winchester provided. 13. *Ed.* 1. against homicides, burning of houses, robberies, and other felonies four times in every yere, in every hundred of his bailiwike, and by his bailifs in every market, as well within liberties as without.

Every under-
shirife shall be
twice sworn.

35. ¶ All and every person and persons, that shall be admitted to, or take upon him the executing of the office of an under shirife, in any shire or countie, within this Realme of England, before he intermeddle with the exercise of the said office, shall receive and take a coppyall of the Holy Evangelists, before the J. of Assise, or one of them, of the same circuit, wherein that countrie is, whereof he shall be under shirife, or before the Custos Rotulorum, or two Justices of the peace, whereof one to be of the Quorum of the said countie, whereof he shall be under shirife, as aforesaid, for, and concerning

concerning the Supremacie in such maner and forme, as that othe is expresse and declared in one act of Parliament made and ordeined, Anno 1. **Cl.** Together with which othe, he shall in like sope, before the same person or persons, receiue and take one other copposall othe as followeth, (that is to say) I. A. B. shall not vie or exercise the office of vnder shirife corruptly during the time that I shall remaine therein, neither shall or will accept, receiue or take by any colour, meanes, or deuise whatsoever, or consent to the taking of any maner of fee or reward, of any person or persons, for the impanelling, or returning of any Inquest, Iurie, or Tales, in any Court of Record for the Queene, or betwixt partie and partie, aboue 1j, s. or the value thereof, or such fees as are allowed and appointed for the same, by the lawes and statutes of this Realme. But will, according to my power, truly and indifferently with conuenient speed impanell all Iurours, and returne all such writ, or writs touching the same, as shall apperteine to be done by my duetie or office, during the time that I shall remaine in the said office, So helpe me God. And this act shalbe a sufficient warrant to the persons appointed by this act, to minister the othe aforesaid, for the ministring thereof accordingly. 27. **Cl.** 12.

S. Queene 4.

No reward
for the impan-
elling of an
inquest.

36 ¶ Every Bailife of franchise, deputie and clearke of euery Shirife and Under shirife, and euery other person and persons, which shall haue authority, or take vpon him to impanell or returne any Inquest, Iurie, or Tales, or to intermeddle with execution of processe, in any Court of Record, shall, before he or they intermeddle with any further execution thereof, receiue and take the othes aforesaid copposally, before the person or persons appointed by this act to minister the same, or before the head officer of the place, if it be a towne copposat, changing only the words (the office of Under shirife) contained in the othe expressed in this act, to such words as are conuenient for the deputation, office or place, in which the partie, which taketh the othe, is to be exercised in. And if any the said persons, limited to take the othe aforesaid, doe take vpon him to impanell or returne any Inquest, Iurie, or Tales, or to intermeddle with the execution of processe, not hauing before taken the othes aforesaid: Then euery such person shall forfeit xl. li. to the Q. and J. to be recovered in any of the Q. Courts of Record by A. B. J. P. I. wherein no **W. C. J. P. &c.** 27. **Cl.** 12.

Bailifes of
franchises,
shirifs, clerks,
and deputies,
shall take the
foresaid othes.

37 ¶ If any Under shirife, or other person mentioned in this Act, or any of them, shall do, or commit any act or acts contrary to the othes aforesaid, or either of them, or contrary to the true intent and meaning of this act, Then euery such person so offending shall forfeit for euery such offence to the partie or parties grieved, his or their triple dammages, to be recovered by A. B. J. P. or J. in any of the Q. courts of Record, wherein no **W. C. J. P. &c.** 27. **Cl.** 12, S. Iustices of peace.

The forfeiture
of the Offens-
der.

38 ¶ It shall not be lawfull to or for any Shirife, vnder shirife, bailife of franchises or liberties, nor for any of their or either of their officers, ministers,

Shirifs.

nisters, seruants, bailifs or deputies, nor for any of them, by reason of colour of their or either of their office or offices, to haue, receiue or take of any person or persons whatsoever, directly or indirectly, for the seruing and executing of any extent or execution vpon the body, lands, goods, or chattels of any person or persons whatsoever more, or other consideration or recompence, then in this present act is and shall be limited and appointed, which shall be lawfull to be had, receiued and taken, that is to say, twelue pence of and for every twenty shillings, where the sum exceedeth not one hundred pounds, and six pence of and for every twenty shillings, being ouer and aboue the said sum of one hundred pounds, that he or they shall so leuie or extend, and deliuer in execution, or take the body in execution for, by vertue, and force of any such extent or execution whatsoever, vpon paine and penalte that all and euery shirife, vnder shirife, bailife of franchises or liberties, their and euery of their ministers, seruants, officers, bailifs, or deputies, which at any time shall directly or indirectly do the contrary, shall lose and forfeit to the partie grieved his treble dammages, and shall forfeit the sum of fortie pounds of good and lawfull English money, for every time that he, they, or any of them shall do the contrary, to the Q. and J. to be recovered by A. S. B. or J. wherein no E. M. p. c.

Provided alwayes, that this act, or any thing therein contained, shall not extend to any fees to be taken or had for any execution within any citie or towne corporat, any thing aboue mentioned to the contrary thereof notwithstanding. 29. El. 4.

1 That euery statute provided for shirifs shall extend to bailifs of liberties, S. Franchises 1.

2 For the shirifs duetie in executing the writ of Redisseisin. See Redisseisin 2. 3.

3 For the shirifs dutie in repleuuing of a distresse, and taking band for prosecuting the sute, and making of Returne. S. Repleuine 1. 3.

4 For the Shirifs duetie in recording and certifying of Riots. See Riots 1. 3.

5 For the returnes of Shirifs and Bailifs of liberties. See Returne of Shirifs.

6 That the Shirife must shew to the party indebted, the estreats sealed, and vpon the payment, Tot the same. S. Estreats 1.

7 That amerciaments for insufficient returnes by stewards or bailifs of liberties, shall be set vpon their heads, and not vpon the shirifs, See Franchises 3.

8 That no vnder shirifs, shirifs clearke, receiuer, or bailife, shall be attorney. S. Attorney 9.

9 That shirifs may enquire of counterfeits of false weights, and punish them, S. Weights 13.

10 What a Shirife shall forfeit which doth not execute a writ to him directed

How much
shirifs may
take for the
seruing of an
execution.

Fees for ex-
ecutions with-
in citie or
townes cor-
porat.

Bailifs of
liberties.

Redisseisin.

Repleuuing a
distresse.

Riots.

Returnes.

Estreats.

Amercia-
ments.

Attorney.

Counterfeiting
weights.

A woman
with.

directed at the sure of a woman which is enforced to be bound by obligation or statute. S. Women 14.

11 That the Shirife shall discharge his distresse, which can finde him *debtor* forwete to gree for the thing in demand, and that the Shirife shall acquit the *Queene's* debtrour of that which he hath receiued. See account to the *Queene* 45.

12 How the Shirife shalbe punished, which by the colour of his office doth disseise any man, S. Assise 4. *Disseisin.*

13 In what time a Shirife shall array assises, and deliuer the copies, S. Assise 8. *Array assises.*

14 What the Shirife shall forfeit, which doth suffer an escape, or doth take any thing for an escape. S. Escape 1, 2. *Escape.*

15 How the Shirife shall vse a hauke which is founde, taken vp, and brought vnto him, S. Hauks 2. *Hauks.*

16 For the punishment of the Shirife which letteth one goe which is not repleuifable. S. Mainprise 36. *Bailing an offender.*

17 For all the Shirifs duetie about the electing & returning of knights of the parliament, burgesles of the parliament, and leuying of their wages. S. Parliament 4, 5, 8, 12. *Knights of the parliament.*

18 That Shirifs shal haue charge of gaoles, and of the prisoners therein, and the appointment of gaolers. S. Prison 4, 6. *Gaoles.*

19 That a Shirife may take out of Sanctuary any abiured person committing felony. S. Sanctuarie 9. *Sanctuarie.*

20 In what case and maner the Shirife vpon precepts shall goe to enquire of waste. S. Waste 3. *Enquire of waste.*

21 That the Shirifs shall attend vpon a Iustice of peace to arrest those which make any forcible entries. S. Force 4. *Forcible entries.*

22 What iurours, and of what sufficiencie the Shirife in seuerall case shall returne, and vpon what paine, S. Iurours 12, 13, 14, 16, 19, 20. *Returning Iurors.*

23 The Shirife or Bailife of liberties duetie in executing and returning an attachment to him directed by the Iustices of peace for the attachment of a Collector or Surueyor of prisons, S. Prisons 2. *Attachment.*

24 In what maner the Shirife shall make purueyance for the *Queene's* horses and dogs within his countie, S. Purueyors 10. *Purueyors.*

25 By whom the Shirifs in Wales shall be appointed their authoritie, account, courts, fees, &c. S. Wales 36, &c.

26 Amerciaments of Shirifs for insufficient returnes. S. Returnes 12.

Silke.

NO person shall bring, or cause to be brought into this realme of England to be solde, any silke wrought by it selfe, or with any other stuffe in any place out of this realme, in ribands, laces, girdles, coses, caules, coses of tissues, or points, vpon paine to forfeit to the *Queene* and any of

These things wrought of silke may not be brought into England.

Sope vessels. Statutes and Recognisances.

of her subjects that will selle the same, all the same ribbands, laces, &c. in whose hands soever they be found, of the value of the same. But it shall be lawfull to every person, aswell strangers as other, to bring into this realme all other maner of silks, aswell wrought as raw or unwrought, to sell at his pleasure. And it shall be lawfull to all persons that haue any such ribbands, laces, girdles, caules, cozies of rissues, or points wrought beyond the Sea brought into this land by the Queenes licence, and to be solde, to make sale of the same. 19. D. 21.

1 Who may weare any filke in or vpon their garments, and who not.
S. Apparell. .8. 3. 1. 2.

Every Sopemaker putting to sale sope, shall cause an empty barrell to
containe xxii. gallons or above, and not to be in weight above xxvi.
pounds, a halfe barrell emptie not to weigh about thirtene pounds, and
to containe xvi. gallons or above, an emptie firkin not to weigh above vi.
pounds and a halfe, and to containe viii. gallons or above of full and iust
measure, vpon paine to forfeit for every vessel contrarie to this, s. ii. d. 4. 8.
4. S. Coopers, 1. Iustices of peace, 79.

Statutes and Recognizances

Statute merchant.

Every merchant that will be sure of his debt, shall cause his debtor to come before the Mayor of London, Dyke, or Bristow, or before some chiefe warden of one of these, or some other good towne thereunto assigned by the Queene, and before the Mayor, chiefe warden or other sufficient men chosen and sworne thereunto, when the Mayor, or chiefe Warden cannot attend, and before one of the clerks therunto by the Queene assigned when both cannot attend, and so acknowledge the debt, and the day of payment. And the recognisance shall be introlled by the hand of one of the clerks which shall be knownen, and the roule shall be double, whercof one part shall remaine with the Mayor or chiefe warden, and the other with the said clerke, and one of the clerks with his owne hand shall write the obligation, to which writing the debtors seale shall be put with the Queenes seale to that use provided, the which seale shall be of two pieces, wherof the great piece shall remaine in the custodie of the foresaid clerks. And if the debtor do not pay the debt at the day to him assigned, the merchant shall come to the Mayor and clerke with his writing obligatorie. And if it be found by the roule or writing, that the debt was knowledged, and the day of payment expired, the Mayor or chiefe wardens shall cause the body of the debtor to be apprehended (if he be a lay man) whensoever he cometh within his Jurisdiction, and committed to the prison of the same towne (if there be a prison) and there he shall remaine at his owne costs untill he hath payed for the debt, and the keeper of the towne prison shall receive him by the deliverance of the Mayor or chiefe warden, and if he shall not receive him, the keeper of the prison shall immediately answere the debt, if he have wherewith, but if he have

**The scale of
the statue.**

**The debtors
imprisoned.**

haue not wherewith, hee shall answere the debt which committed the keeping of the prison vnto him. And if the debtour cannot be found within the power of the Mayor or chiefe warden: then the Mayor or chiefe warden shall send the recognisance of the debt vnder the Kings said seale vnto the Chancery, from whence shall be directed a writ to the shirife within whose bailiwick the debtour may be found, that hee shall take his bodie (if he be a lay man) and keepe him in safe prison vntill hee hath agreed for the debt, and within a quarter of a yere after he is taken, he shall haue his lands & goods deliuered vnto him, so that with them he may liue and pay his debt, and it is lawfull for him within this quarter to sell his lands and tenements to discharge his debt, and his sale shall be good. But if he do not agree within the quarter, after the quarter of a yere expired, all the goods & lands of the debtour shall be deliuered to the merchant by a reasonable extent to holde vntill the debt be fully leuied, and neuertheless the bodie shall remaine in prison, and the merchant shall finde him bread & water. And if they which do praise the moueable goods which are to be deliuered to the creditor, do praise them at too high a price in fauour of the debtour, and to the dammages of the creditor, the thing praised shall be deliuered to them for the price which they haue set, and they shall immediately answere the creditor his debt. But if the debtour will say that the moueable goods were solde or deliuered for lesse then they were worth, thereof he shall haue no remedie, for that the goods were lawfully solde to him that would offer most for the same, for he may reckon it his owne folly which might haue solde his goods before the sute commenced, and leuied the money with his owne hands & would not. And the merchant shall haue in the land so deliuered to him or to his assignes, such seisin that he may thereupon bring an assise of Nouel disseisin, if hee be put out, and a Redisseisin also as of his freeholme, to holde to him and to his assignes vntill the debt be payed, and after the debt leuied and payed, the body of the debtour shall be deliuered with his hands. And in the writs which shall be directed out of the Chancery, mention shall be made, that the shirife shall certifye the Iustices of the one bench or the other, at a certeine day, how hee hath performed the Queenes commandement, at which day the merchant shall sue before the Iustices, if he be not satisfied. And if the shirife returne no writ, or returne that the writ came to lace, or that he hath sent to the Bailiffs of franchises (then the Iustices shall do according as is contained in the Statute of West. 2.) And if the shirife returne that the debtour is not found, or is a clerke, then the merchant shall haue writs to all the shirifs where he hath land, that they shall deliuer all the cattels and tenements of the debtour by a reasonable extent, to holde to him and to his assignes in forme aforesaid: and neuertheless hee shall haue a writ to what shirife he will, to take his body (if he be lay) and to holde in forme aforesaid, and the keeper of the prison must keepe him safely, for he shall answere the body of the debt, and after the debtours lands be deliuered vnto the merchant, the debtour may

The stat. certifi-
fied into the
Chancery.

Execution of
the debtours
lands & goods.

The goods re-
turned deliue-
red to the plas-
ters.

A remedie for
tenants by sta-
ture, merchants
being put out.

Returne of
shirifs.

The debtour
not found or
a clerke.

Statutes and Recognisances.

The conise
shall haue his
costs and ex-
pences.

Sureties.

Of what lands
the conise shal
haue execu-
tion.

No execution
of an infants
lands.

The penaltie
of the statute
read before
the debtors.

**Statutes in
Chester.**

Clerke of the
statute shall
haue suffici-
ent, and dwell
vpon his of-
fice.

Execution as
warded vpon
a statute once
shewed in
Court.

well sell his lands, so that the merchant receiue no damage by the ap-
proouement. And the merchants shall haue all their necessarie damages
and costs in trauell, sute, delay, and expences allowed vnto them, and if he be
a merchant stranger, he shall remaine at the costs of the debtour, for so long
time as he tarieth about the sute of his debt, and vntill the goods of the deb-
tour be solde or deliuered vnto him. And if the debtour do finde pledges or
sureties after the day passed, the sureties shall be vsed in all respects as is a-
foresaid of the principall debtour, concerning taking of their bodies, live-
ring of their lands and other things. But so long as the debt may be fully
leuied of the moueable goods of the debtour, the sureties shall receiue no
losse. And when the debtours lands shall be deliuered to the merchant, he
shall haue seisin of all the lands which were in the debtours hands the day
of the recognisance knowledged, into whose hands soeuer they doe after
come, either by feofment or other maner. And after the debt payd, the land
and the issues of the land of those which be debtors by feofment, shall aswell
returne againe to the feoffees, as the other lands to the feoffors. And if the
debtor or his sureties die, the merchant cannot take the body of his heire,
but shall haue his lands in forme aforesaid, if hee be of full age, or when hee
shalbe of full age, vntill he haue leuied so much as his debt amounteth vnto.
Before the recognisances shalbe inrolled, the penaltie of this statute shalbe
openly read before the debtor, so that he shall not after excuse himselfe by ig-
norance of the paine whereunto hee bound himselfe, and the D. shall haue
in euery towne where the seale is to mainteine the costs of the clerke. i. d. of
euery pound. Acton Burnel. 11 E. 1. de mercatoribus. 13. Ed. 1. And all re-
cognisances of statute merchant and Acton Burnel, which shall be know-
ledged, inrolled, and sealed with the seale appointed to the city of Chester
before the Mayor of the same citie, in like maner as the Mayors and other
officers in the said citie haue accustomed to take, inroule, and seale shall be
good and effectiual in the law. 2. Ed. 6. 31.

2 ¶ Euery clerke which shalbe deputed to receiue recognisances in ci-
ties and boroughs according to the statute merchant, shall abide in proper
person to doe his office, and shall haue lands sufficient in the same countie
whereof he may answere all persons if he offend, and if there be any other
in such an office, hee shall be remooued, and another moxe meet be set in his
place. 14. Ed. 3. 11.

3 ¶ Where a statute merchant is certified into the Chancerie & there-
upon a writ awarded to the shirife, and returned into the Common place,
and the statute thereon shewed, howsoeuer the proccesse after this shewing
be discontinued, at what time the party sueth to recontinue the proccesse, and
to haue execution of the statute merchant, the Iustices of the bench in which
the statute was once shewed, may vpon the same record, award and make
full execution of the said statute, without hauing any other sight thereof af-
ter, An. 5. H. 4. 12.

4 ¶ Euery

4 ¶ Every Maior of the Staple hath authoritie to take recognisances of debts that a man will knowledge before him in the presence of the Constables of the Staple, or one of them, and in every Staple there shalbe a seale remaining in the custodie of the said Maior vnder the seales of the same Constables, and all obligations which shall be made vpon such recognisances shall be sealed with the same seale, paying for every obligation of one hundred pound and vnder, of every pound a halfe peny, and of every obligation aboue one hundred pound, of every pound a farthing. And the Maior of the Staple by vertue of the same writing obligatorie so sealed, may take and holde in prison the bodies of the debtours after the terme incurred, if they be found within the Staple, vntill they haue agreed with the creditor for his debt and dammages, and also arrest the goods of the said debtours found within the said Staple, and deliuer the said goods to the said creditors, according to the very value, or sell them at the best hee may, and deliuer so much thereof to the creditors as the summe due, and if the debtors cannot be found within the Staple, nor their goods to the value of the debt, that shall be certified into the Chancerie vnder the saide seale, vpon which certificate a writ shall be directed to take the bodies of the said debtours without letting them to baile, and to seise their lands, tenements, goods and cattels. And the writs shalbe returned into the Chancerie, with a certificate of the value of the said lands, tenements, goods and cattels, and thereupon due execution shall be made from day to day, in maner as is contained in the Statute merchant, so that hee to whom the debt is due, shall haue an estate of freeholde in the lands and tenements, which shall be deliuered vnto him by vertue of this proccesse, and shall recouer by assise of Nouel disseisin if he be put out. But the debtoz shall haue no aduantage of the quarter of a pere which is contained in the Statute merchant. But if the creditoz will haue no letters vnder the said seale, but will stand to the faith of the debtoz, if after the terme incurred, hee demand his debt, the debtoz shall be credited vpon his faith. 27. Ed. 3. 9. And if any Maior of the Staple, doe receiue any recognisance of debt against the forme aforesaid, hee shall pay to the Queene one halfe of the summe knowledged before him. 15. R. 2. 9. S. 14.

Statute Staple.

Execution of
the body and
goods of the
debtor.The Statute
certified into
the Chancerie.

5 ¶ The chiefe Justice of the Kings bench, and the chiefe Justice of the Common place, and euery of them by himselfe, and in their absence out of the terme, the Maior of the Staple at West. and the Recorder of the citie of London for the time being, ioynely together by his or their discretion, haue authoritie to take Recognisances or knowledges of euery of the Queenes subiects for the payment of debts, according to such forme as hereafter ensueth.

Recognisance
signature of the
Statute Staple.

6 ¶ Nouerint vniuersi per presentes me A. B. & C. D. Armig. teneri & firmiter obligari Iohanni at Stile in C. li. sterling. soluendis eidem Iohanni aut suo certo Attornato hoc scripto ostendent. hared. vel executoribus suis in tal. fest. &c. prox. futur. post datum presentium. Et si defecer,

The forme of
the recogni-
sance.

Statutes and Recognisances.

vel defecerim in solutione debiti prædicti, volo & concedo, vel sic, volumus & concedimus, quod tunc currat super me hæred. & executores meos, vel super nos & quemlibet nostrum, hered. & executores nostros, pena in Statut. Stapulæ de debit. pro merchandis in eadem emptis recuperand. ordinat. & prouisa, Dat. tali die, An. Regni &c. 23. H. 8. 6.

Sealing of a
Recognisance.

7 ¶ And euery obligation that shall be made as is aforesaid, and knowledged before any of the said chiefe Justices, or the said Mayor and Recorder, according to this act, shall be sealed with the seal of the partie or parties that shall recognise or knowledge the same, and also with the Queenes seale ordeined for the same, and with the seal of one such of the said Justices, or with the seales of the said Mayor and Recorder, and with his or their name or names subscribed that so shall take the same recognisance or knowledge, and euery of the said two Justices, and the Mayor and Recorder shall haue the custodie of one such seale, by the Queene appointed, with one like print, scripture, and fashion which shall seuerally remaine with them, to the intent aboue rehearsed. 23. H. 8. 6.

Clerke of the
Statutes.

8 ¶ An honest and discret person assigned by the Queene, or his sufficient deputie or deputies, shall make & write all such obligations as shall be knowledged, and recognised by authoritie of this act, and shall cause the same being knowledged and recognised in forme as is abouesaid, to be inrouled in two seuerall roubles indented, whercof one shall remaine with such of the said Justices, or with the said Mayor and Recorder, that so shall take the same recognisance, and the other with the writer thereof, appointed for the same. And the said person appointed for making, writing, and inrouling of such obligations, or his sufficient deputie or deputies, shall be dwelling or abiding in the citie of London, vpon paine to forfeit for euery tyme that he and his deputie shall be absent by the space of two dayes, tenne pounds. And the said person so appointed, or his sufficient deputie or deputies at the request of the creditour, their executors or administratours, shall certifie such obligations as shall be taken and recognised by authoritie of this act, into the Chancerie, vnder the seale of the person so appointed &c. 23. H. 8. 6.

Execution vpon
a recognisance.

9 ¶ Euery person and persons to whom any such obligation shall be made, knowledged, and inrouled as is aforesaid, their executors and administrators, and the executors and administrators of euery of them, for default of payment of the debtes contained in such obligations, shall haue in euery point, degree, and condiction against the said recognisor or recognisors, and euery of them, their heires, executors and administrators, and the heires, executors and administrators of euery of them, like processe, execution, commodity, and aduantage in euery behalfe, as hath bene vsed and accustomed before this tyme to be had, done, or made of & vpon any obligation of the Nature of the Staple, and vnder such maner & forme as is for the same Nature of the Staple prouided, paying for such processe & execution to be had, such like fees

fees as is accustomed for proccesse and execution to be had upon obligations of the same Statute of the Staple, and not above. 23. H. 8. 6.

10. ¶ Every such person and persons that shalbe bounden or otherwise grieved by vertue of any obligation made by authority of this act, shall have their like remedy by Audita querela and all other remedies in the law, that they might have had in case they had bene bounden by obligation of the Statute of the Staple. 23. H. 8. 6.

Audita querela.

11. ¶ Every person that shall have proccesse for execution to be had, by reason of any obligation to be made and knowledged according to this act, shall pay to the Queene &c. at the sealing of the said proccesse a halfe peny for every pound, that shalbe contained in the obligation, wherof execution shall be required, and not above. 23. H. 8. 6.

The Queene shall have ob. in the li. upon execution sued.

12. ¶ Every such person and persons that shall have execution of any lands, tenements, or hereditaments, by reason of any such obligation, made, and knowledged, as is aforesaid, and their executors, administrators or assignes, and the executors, administrators and assignes, of every of them (if they or any of them be put out, or disseised) shall have like remedy in every condition, as persons having execution, in, and upon any Statute of the Staple, after execution of them had, made or might have, by vertue of the said writing obligatorie of the Statute of the Staple, and execution of the same. 23. H. 8. 6.

The remedie for tenant by recognisance being disseised.

13. ¶ Every of the said Justices, and the said Mayor and Recorder before whom any such obligations shall be recognised, shall take for every knowlege of every one such recognisance, iii. s. iii. d. and not above. And the clerke that shall write, make, and inrolle the same, iii. s. iii. d. And for the certificat of every one such obligation, xx. d. And if any of the said Justices, Mayor, Recorder, or Clerks, take of any of the Queenes subiects above the summe or summes to them limited by this Statute, then the said Justices, Mayor, Recorder, or Clerke, that shall take contrary to the forme aforesaid, shall forfeit for every time so offending to the Q. and J. xl. li. to be received by A. J. &c. wherein no W. &c. E. P. &c. 23. H. 8. 6.

The Justices Clerks fee up on every recognisance.

14. ¶ No Mayor, or Constable of the Seaple, for the payment of any summe of money, shall take any knowlege or recognisance of the said Statute of the Staple of any of the Queenes subiects, upon paine to forfeit to the Q. and J. for every time so offending, xl. li. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. But this act is not prejudiciall to any Mayor and constables of the Staple, for any band or writing of the Statute of the Staple to be taken or received betweene merchants being free of the same Staple, for merchandises of the same Staple, betweene them lawfully bought and solde. 23. H. 8. 6.

In what cases recognisances by Statute Staple may be taken.

15. ¶ The whole tenor and contents of all Statutes merchants, and Statutes of the Staple, hereafter to be knowledged, shall within sixe moneths next after such knowledging, be entered in the office of the clerke of Recognizances,

The contents of Statutes shalbe entered in the Clerks office.

nisances, taken according to the statute made, 23 Hen. 8. by the shewing forth of the said statute merchant or statute staple so knowledged, unto the said Clerke, which said Clerke of the recognisance shall enter or cause to be entered the same statutes into a booke for that purpose to be provided, and safely kepe by him, taking eight pence and no more for every such entrie. 27. Cl. 4.

The statute not entered void against the purchaser of the lands liable to the same.

16. ¶ If the partie, to whom any such statute merchant or of the Staple shall be knowledged, his executors or administrators, doe, or shall not within foure moneths next after the knowledging of any such statute, bring and deliuer, or cause to be brought and deliuered unto the said clerke, or his deputy or deputies for the time being, all and every such statute and statutes as shalbe so knowledged to him, or to his use, whereby and to the intent that the said clerke, his deputy or deputies may take and enter a true copy thereof: Then every such statute merchant and of the Staple not so entered, shall be void, frustrate, and of none effect, against all and every such person and persons, bodies politicke and corporat, their heires, successors, executors, administrators and assignes onely, as shall after the knowledging of the said statutes or any of them, purchase for money or other good consideration, the lands, tenements, or hereditaments, which were liable to the same statute merchant or of the Staple, or any part or parcell thereof, or any rent, lease or profit of or out of the same. 27. Cl. 4.

The Clerke not entering or endorsing a statute brought unto him.

27. ¶ If the said clerke, or his deputie or deputies for the time being, shall not upon such shewing and deliuerie unto him or them of any statute merchant, or of the Staple, enter or cause to be entered the same in his saide booke, within the said time of six moneths, and also endorse upon every such statute so by him entered, the day and yere of his said entrie with his or their owne name: Then every such clerke failing, or defective in that behalfs, shall forfeit and lose for every statute merchant and of the Staple so brought unto him or them, and not entered and endorsed, or caused to be entered and endorsed as aforesaid, the summe of xx. li. the one moiety whereof to be to the Queenes Maiestie, her heires or successors, and the other moiety to him or them that will sue for the same in any of the Queenes courts of record, by A. of debt, B. P. or J. wherein no C. P. or M. vt. 27. Cl. 4.

Clerke of the Recognisances fees for search.

18. ¶ No clerke of the said Recognisances shall or may take for or in respect of any search to be made, for or concerning any statute merchant or of the Staple so to be entered as aforesaid, above ii. d. for one yeres search, and so after the rate of ii. d. for every yere, and not above, upon paine to forfeit and lose to the partie or parties grieved thereby, twentie times as much as he shall take contrary to the true meaning of this act, to be recovered in any of the Queenes Maiesties courts of Record by A. of debt, B. P. or J. wherein no P. or M. of law shalbe allowed. 27. Cl. 4. This act to continue for the space of ten yeres, and from thenceforth, unto the end of the Parliament then next following.

1 In what maner execution shalbe made of lands in Wales, vpon a statute or recognisance. S. Wales 67.

2 That no statute or recognisance shalbe auoided by a fained recovery. S. Recoveries 9.

3 That he which sueth to defeat execution vpon a statute, shall finde suretie to the Q. and the partie, S. Corpus cum causa 2.

4 That obligations taken in the court of Wards, shall be of the same strength as a statute staple, S. Wards 27.

5 That all obligations made to the Q. shalbe of the same strength, as a statute staple. S. Account to the Q. 1.

6 That obligations taken of Ecclesiasticall persons for their first fruits, be of the same strength as a statute staple. S. Ecclesiasticall persons &c. 25.

7 A remedy for the conisee where lands taken by him in execution be recovered. S. Execution 3.

8 That the lands of certeine accountants to the Q. shalbe liable to the piament of their arrerages, and be put in execution, as if they were bound in statute staple. S. Account &c. to the Queene, 29.

¶ Steele. If any person doe forge or make any gaddes of Iron, like to the fashion and maner of gaddes of Steele, or do utter or put to sale any such gaddes of any Iron, hee shall forfeit for every gadde so forged, uttered, or put to sale, foure pence to the Q. and A. to be recovered by A. J. &c. wherein no W. &c. E. 3. c. 2. Ed. 6. 27.

¶ Suggestion.

If any man do make a Suggestion to the Queenes Maietie, he shall be sent with the same suggestion to the lord Chancellor, Treasurer, and the Queenes great counsell, & there shall finde surety to pursue his suggestion, and then processe shalbe awarded against him of whom the suggestion is made without being taken or imprisoned. 37. E. 3. 18. And if he which maketh the complaint cannot proue his suggestion, he shall be sent to prison, vntill he hath agreed with the party for his damages and slander, and after shall make fine and ransom to the Q. 38. Ed. 3. 9. And the Chancellor of England hath authoritie to award damages to him which is troubled in the Chancerie, or in forme aforesaid wrongfully. 17. R. 2. 6.

1 Where he that sueth for a Prohibition shall make a suggestion and proue the same. S. Prohibition 10.

¶ Surgeons.

No person within the cite of London, nor within seven miles of the same, shall take upon him to exercise and occupie as a Surgeon, (except he be first examined, appoynted, and admitted by the bishop of London, or by the deane of London, calling to him foure persons expert in Surgery) vpon paine of forfeiture for every moneth, that any person doeth occupie as a Surgeon not admitted nor examined in forme aforesaid, v. li. to the Q.

Surgeons he London admitted by the bishop.

and A. to be recovered by A. of debt, wherein no C. 11. 11. 11. 11. But this act shall not be prejudiciall to the Uniuersities of Oxfoꝛd and Cambridge, or any liberties granted to them. 3. 11. 8. 1. 1.

Surgeons shall be appointed by the Bishop of the diocesse.

2. ¶ No person out of the saide citie and precinct of seven miles of the same (except he hath bene approued in the same) shall take vpon him to occupie as a Surgeon in any diocesse within this realme, but if he be first examined and approued by the bishop of the same diocesse, or bee being out of the diocesse by his Vicar generall, either of them calling to them such expert persons in the said facultie, as they shall thinke conuenient, and giuing their letters testimoniall vnder their seale to him that they shall so approue, vpon paine of forfeiture of v. 11. for euery moneth that any doth occupie not admitted nor examined in forme aforesaid &c. But this act shall not be prejudiciall to any of the foresaid Uniuersities &c. 3. 11. 8. 1. 1. Notwithstanding the foresaid statute, it is lawfull to euery person being the Queens subiect, hauing knowledge and experience of the nature of herbes, roots, and waters, or of the operation of the same, by speculation or practise, within any part of the Queenes dominions, to practise, vse, and minister in and to any outward soꝛe, vncome wound, appositions, outward swelling or distaste, any herbe or herbes, ointments, baches, pulues, and liniments, according to their cunning, experience, or knowledge, in any of the diseases, soꝛes, and maladies beforesaid, and all other like to the same, or drinks for the stone or strangurie, or agues, without trouble or penalty &c. 3. 11. 8. 8. And forasmuch as the science of Physicke doth containe the knowledge of Surgerie, as a speciall member and part of the same: any of the company of Physicians within the citie of London being able, chosen, and admitted by the President and fellowship of the Physicians in London, may from time to time, aswell within the citie of London, as elsewhere within this realme, practise and exercise the said science of Physicke, in all and euery his members and parts. 3. 11. 9. 40.

Helps of outward soꝛes.

The physicians of London may practise Surgerie.

Surgeons & Barbour made one company.

3. ¶ By the statute of 3. 11. 8. 4. it was ordeined that the two severall companies of Barbours and Surgeons in London, and euery person of them being a freeman of either of the said companies after the custome of the said citie, and their successors shoulde be from henceforth united & made one entyre and whole body corporate, and one communalitie perpetuall, which shoulde be called by the name of masters and gouerners of the mysterie and communalitie of Barbers and Surgeons of London for ever, and by none other name, and by the same name to implead & be impleaded befoꝛe all Iudices, in all courts, in all actions and suites, and to purchase to them & their successors, all lands &c. rents &c. other possessions, and also to haue a common seale, and by the same name to enioy all such lands &c. which the company of Barbers then had, and to enioy all benefites, grante, franchises, liberties &c. at any time granted to the said company of Barbers. And that they and their successors, shall haue the searcho, oversight, punishment and correction,

rection, as well of freemen, as of foreigners, for such offences as any of them shall commit against the good order of Surgerie, as before time amongst the company of Barbour's hath bene used. And that all persons of the said company incorporate, and their successors, that shall be lawfully admitted and approued to decurie Surgerie, (after the fourme of the Statute of 3. Hen. 8. c. 11.) shall be exempt from bearing of Armour, or to be put in any watches or inquests: But every such Surgeon, and Barbour shall pay such scot and lot, and other charges, as they and their predecessors haue accustomed to pay within the said Citie. And that the said Masters and gouernours, and their successors peereley for euer, after their discretions, at their free libertie, shall and may haue and take without contradiction iii. persons condemned, adiudged, and put to death by the order of the lawes of this Realme, for Treasones, without any further suite or labour to bee made, vnder the Queene &c. for the same, and to make inscition of the same dead bodies, or otherwise to order the same at their pleasure for the better knowledge and experience in Surgerie. And that at times accustomed, there shall be chosen by the same company foure Masters or Gouernours of the same Corporation or Company, of the which foure, two of them shall be expert in Surgerie, and the other two in Barberie, which iii. Masters and euery of them shall haue full authoritie from time to time during their said Office, to haue the oversight, search, and correction of all such defaults and inconueniences as shalbe found amongst the said company vsing Barberie or Surgerie, as well of freemen, as foreigners and strangers within the Citie of London and circuit aforesaid, after their discretions.

Surgeons exempt from bearing armour, watches, and inquests,

Foure Masters.

Foure gouernours of the Corporation.

4. ¶ No person within the Citie of London, suburbes of the same, and one miles compasse of the said citie, vsing any Barbarie or shauing within the said Citie, suburbes, or one mile circuit of the same citie, nor none other for him, or to his vse, shall occupie any surgery, letting of blood, or any other thing belonging to Surgerie (drawing of teeth only excepted) vpon paine to forfeite for euery moneth offending to the contrary v. li. to the Q. and J. to be recovered by A. J. &c. wherein no W. C. p. 32. H. 8. 42.

No Barber in London shall vse Surgerie.

5. ¶ Whosoever vseth the mystrie or craft of Surgerie within the circuit aforesaid, as long as he shall vse the same, shall not occupie the craft of Barbarie or shauing, neither by himselfe, nor by any other for him to his vse, vpon the paine aforesaid. 32. H. 8. 42.

No Surgeon shall vse the craft of Barberie.

6. ¶ All persons vsing Surgerie, as well free men as foreigners, and allens, within the said Citie of London, the suburbs thereof, and one mile compasse of the said Citie, shall haue an open signe on the streete side, where they shall dwell, that all the Queenes liege people there passing by, may know at all times whither to resort for their remedies in time of neede, vpon the paine aforesaid. 32. H. 8. 42.

Euery Surgeon shall haue a signe at his doore.

7. ¶ No person shall keepe any Shop of Barbary or shauing within the Citie of London, (except he be a freeman of the same corporation and company)

None shall be a barber in London but a free man.

Suite of Court. Swannes. Tayle.

Each man may
keepe a Sur-
geon or Bar-
bour for his
servant.

pany) upon the paine aforesaide. But it is lawfull to any of the Queenes subiects not being a Barbour or Surgeon, to retaine and keepe in his house, as his servant, any Barbour or Surgeon, which shall and may vse those faculties of Barberie and Surgerie or either of them in his Masters house, or els where, by his Masters licence or commandement. 31. H. 8. 42.

1 That no Stranger, being a common Surgeon, shall be interpreted a handicrafts man. S. Aliens. 14.

Suite of Court.

NOne that is enfeoffed by deede, shall be distrained to doe suite in the court of his Lorde, without hee be specially bounde therunto by the forme of his deede (onely those except, whose auncesters or they themselves haue vsed to doe such suite &c.) And they that are infeoffed by deede to doe a certaine seruice, as for seruice of so many shillings by yere to be performed of all seruice, shall not be bound to doe such suits, or other like, contrary to the forme of their feoffment. Mar. 52. H. 3. 9.

One suite for
uerall coparc-
ners or ten-
nants.

2 **I**f any inheritance whereof but one suite is due, descend vnto many heires as to parceners, who so hath Enitiam partem, shall do the one suite for himselfe, and his fellowes. And other coheires shall be contributorye for their porcion, for doing such suit. And if there be diuers feoffees of an inheritance, whereof but one suite is due, the Lorde of the fee shall haue but that one suite, and shall not exact of the saide inheritance but one suite, as hath bene vsed to be done before. And if those feoffees haue no warrant or meane which ought to acquite them, then all the feoffees, according to their porcion shall be contributorye for doing the suite for them. Mar. 52. H. 3. 9.

Swannes.

If any person or other to his vse, shall haue or possesse any marke or game of Swannes of his owne (except he haue lands and tenements of estate of freehold, to the yere value of five Markes, aboue all peere charge) then any other person being the Queenes subiect, hauing lands to the yere value of five Markes, may seise the said Swannes as forfeited to the vse of the Queene and himselfe. 22. Ed. 4. 6.

1 That it is not lawfull to take Swannes egges out of the nestes. S. Haukes 3.

Tayle.

In gifts in
tail the do-
nors will shall
be observed.

If lands be given to a man and to his wife, and the heires of their two bodies begotten, with condition that if the saide husbnde and wife doe die without heire of their two bodies begotten, the lande so giuen shall reuert to the donour or his heire. Or if any man giue land in Franke marriage which gift hath a condition annexed (though it be not expessed in the deede of gift) viz. that if the husband and wife doe die without heire of their bodies begotten, the tenement so giuen shall reuert to the donour or his heire. Or if a man giue land to one, and to the heires of his body lawfully begotten in the

the foze fopelaibe rates, the will of the donoꝝ shall be obserued, according to the foyme expressed in his deede of gift, so that they to whome the tenement is giuen vpon condition haue not power to alien the tenement so giuen, whereby the same tenement shall not remaine vnto their issue to whome it was giuen after their decease, oꝝ reuert to the donoꝝ oꝝ his heire, if the donee haue no issue, oꝝ if he haue issue, and that issue die without issue. For the second husband of such a woman shall haue any thing in such lande conditionally giuen after the death of his wife, by the curtesie of England. For the issue of the second husband and wife shall haue any inheritance. But immediately after the death of the husband and the wife to whome the tenement was so giuen, the same shall reuert vnto their issue, oꝝ to the donoꝝ oꝝ his heire. *Test. 2. 13. Ed. 1. 1.*

1 That a fained recouerie had against tenant in taile of landes whereof the reuerfion or remainder is in the Queene, shall not conclude the heires. *S. Recoueries. 2.*

2 Where a fine leuied by tenant in taile, shall cōclude the heire in taile, and where not. *S. Fines. 14. 17.*

3 That lands entailed shall bee charged to the paiment of the debts which the auncestor ought to the Q. *S. Accompt to the Queene. 6.*

4 Where lands entailed shall be forf, by attainder of high treason, and what not. *S. Forfeiture. 2.*

5 What lease made by tenant in taile shal binde her heires. See Leases. *1. 2. S. Recoueries. 4.*

6 That presentation to a Church by an vsurper during the estate of tenant in taile, shall not preiudice him in the reuerfion. *S. Auowson. 1.*

Tame Beastes.

Whofoeuer doeth maliciously, vnlawfully, and willingly cut, oꝝ cause to be cut out, the tongue of any tame beast, of any other persons, the said beast then being in life, shall lose vnto the partie grieved treble dammages, to be recouered by A. of Trespas, & shall forfeite to the Queene *x. li. for a fine. 37. H. 8. 6.*

Cutting out
of beastes
tongues.

Tenthesh.

A 27. H. 8. 27. It is enacted, that vpon all and singular letters Patents to be made vnder the great Seale of England, of any mannors, lands, tenements, and hereditaments, belonging to any of the houses comprised in the acte made. 27. Hen. 8. (prouided for the dissolution of Monasteries and other religious houses, hauing not lands, rents, oꝝ other hereditaments, aboue the cleere peerely value of *£. C. li.*) to the person oꝝ persons, oꝝ bodies polittique, for any estate of inheritance, there shoulde bee alwayes reserved to the King, his heires and successors, a tenure by Knights seruice in Capite, and a perely rent of the tenth part of the perely value of the lands to be comprised in every such letters patents, according to such rate as the same

A tenth reserved
vpon abso-
lute lands.

same lands &c. given shall be expressed to be of a pecerly value in the same letters patents, any thing or clause contained in warrant to the contrary thereof notwithstanding; and that none auerrement shall be made or admitted by, or for the king, or any other person, that the manors, landes, and tenements, be of more pecerly value then in the same letters patents shall be declared.

It remedy for
the Tenth
detained.

¶ An. 3. 1. p. 8. 39. It is enacted, that if any person, or body politike, to whom the king hath by his letters patents under his great seale, or seale of the Court of Augmentations, giuen, or shall giue with reseruacion of rent, any lands, Tenements, rectories, or other hereditaments, which were or shall be in the order and suruey of any of the Courtes of his Chequer, Duchy of Lancaster, Augmentations, Suruey or generall, master of the Wardes and liueries, or Court of the first frutes and Tenthes, to be had to them and to their heires, or successors, or for any other estate of inheritance, or for terme of life or liues, yeelding and reseruing to the king, his heires or successors one pecerly rent at one certaine day or feast, in the same letters patents expressed, and to be payed in the same Courts, that if the same person, body politike, his heires, successors, or Assignes, or any of them doe not truly pay vnto the Treasurers, or to the generall or particular Receiver of the same seuerall Courts assigned for the same, to the vse of the king, at the day or feast limited by the same letters Patents, or within thre moneths next after all such summes of money reserued by the same letters patents, or make sufficient tender thereof to the said Treasor, or generall or particuler receiuer: that then the same person, body politike, his heires, successors, or Assignes, for default of payment thereof, to forfait to the king, his heires and successors, as much money as the fourth part of the same rent reserued for one peere doeth amount vnto, in the name of a paine, aboue the same rent reserued. And if he, his heires or Assignes doe not pay or tender the rent within halfe a peere after the day expressed in the letters patents, and also the said money for: in the name of a paine, then he shall forfait to the king so much money as the moitie of the rent reserued for one peere doeth amount vnto, besides the rent reserued, and so to forfait for euery halfe peere after, so much money as the whole rent reserued for one whole peere doeth amount vnto, for the which rent, arrerages, and paine, the said Treasor and receiuer may distraine, and the head officer of the court vpon certificate, may a ward forth pprocess against the offendour for the rents and forfeitures. And if any person pay the said tenth, and bring an acquittance, the Treasor or Receiuer after the receipt therof, shall signe the acquittance without taking any thing therof, vpon paine of forfeiture of xl. shillings, and if the partie bring an acquittance, but that the Treasor or Receiuer doe make and signe one, he shall take but iiii. d. vpon paine of forfeiture xl. shillings. 33. Hen. 8. 39.

¶ All letters patents made by king Hen. 8. sithence 4. Feb. An. 27.

of his raigne, and by king Ed. 6. thence 28. Januarii. An. 1. of his raigne, of bargaines, sales, gifts, exchanges, or otherwise, and sealed with the great seale of England, or with the great seale of the Duchy of Lancaster, shall be good, perfect, and auailable to all intents, and purposes, according to the said letters Patents, the nonage of the saide king Ed. 6. as Duke of Lancaster, the lacke or losse of the particulars or bill assigned of the patents, or any act, statute or lawes, for, or concerning any tenures, reservation of rents, or tences, to the contrary notwithstanding. 7. Ed. 6. 3.

It confirmati-
on of Patents,
though the
tench be not
referred.

1 Which Ecclesiasticall persons shall pay Tenthes, and vpon what paines. S. Ecclesiasticall. 28. 29.

2 That Tenthes shalbe payed out of the landes of Colledges, Chauntries, Freechappels, &c. S. Monasteries. 27.

Tenure.

All lands, tenements, and other hereditaments holden of the Queene &c. by Knights seruice, Socage or otherwise, as of any of her Duchies, Counties, Baronies, Castels, manors, landes, tenements, fees, or Seigniories, which be come to the Queene or her progenitors, or hereafter shall come to her, her heires or successours, by meanes of any attainder, conuiction, outlawry, or of any dissolution, surrender, or giuing vp of any religious or Ecclesiasticall houses or places, or of any landes, tenements, or hereditaments, to any of the said houses or places belonging, shall not be adiudged to any intent to be holden in Capite, or as tenure in Capite. 1. Ed. 6. 4.

No tenure in
capite by reason
of lands com-
ming to the Q.
by attainder
or other title.

2 This act shall not be prejudiciall to the Queene &c. concerning any wardship, liuerie, primer seison, fine for alienation, or for any other profite comming to her from any person holding any landes, tenements, or other hereditaments of her grace in chiefe, as of her person, or of any other her auncient possessions, and being not come to her by any such attainder, conuiction, outlawry, dissolution, giuing vp, or surrender, as be abovesaid. 1. Ed. 6. 4.

Tenure of the
Queene in
chiefe as of her
person.

3 This acte shall not giue any libertie or profite to any tenaunt or owner in fee simple, of any landes, tenements, or other hereditaments, which haue heretofore sued any speciall or generall liuerie, or Ouster le maine, out of the handes of the Queene, or of any her progenitors of any landes &c. by what tenure or seruice they were or be holden, or that haue, or shall confesse by any matter of record, any tenure in chiefe of the Queene, but they, their heires and assignes shall haue and hold the same landes &c. in like maner, as they did before the making of this act &c. 1. Ed. 6. 4.

Conclusion of
tenure by
matter of Re-
cord.

4 Where any Inquisition or Office shall be found by these wordes or like, Quod de quo, vel de quibus tenementa prædicta tenentur, Juratores prædicti ignorant, or els found holden of the Queene Per quæ seruicia ignorant, or such like, in such case, such tenure so vncertainly found, de quo vel

Tenures vns-
certainly found
by office.

Tenure.

vel de quibus prædicta tenementa tenentur ignorant, shall not be taken for any immediat tenure of the Q. nor such tenure so found of the Queene, Per quæseruitia ignorant, shall not be taken any tenure in Capite, but in such cases a Melius inquirendum shalbe awarded, as hath bene accustomed in olde time, 2. Ed. 6. 8.

The feoffee shall hold of the chief Lord, and not of the feoffor.

5. ¶ It is lawfull for every freeman to sell his landes, or tenements, or part thereof at his owne will, so that hee which is enfeoffed shall holde the same land or tenement of the chiefe Lord of the same fee, by the same seruices and customes whereby his feoffor helde befoze. And if he sell part of his land to any man, the feoffee shal hold immediatly of the chiefe Lord, and shalbe forthwith charged with so much of the seruices, as doeth or ought to belong to the chiefe Lord for that parcell, according to the quantitie of the land sold, and so in this case the same part of the seruice shall remaine to the Lord, to be taken by the handes of the feoffor, for the which he shal be attendant to the Lord according to the quantitie of the land sold for the parcell of the seruice due. But this statute extendeth only to lands sold, which be holden in fee simple, West. 3. 13. Ed. 1. Quia emptores terrarum.

A tenure in capite reserved vpon certaine Abbeylandes.

6. ¶ Anno 27. H. 8. 27. It is enacted, that vpon all and singular letters patentes to be made vnder the great seale of England of any manors, lands, tenements, and hereditaments (belonging to any of the houses comprised in the act, provided 27. Hen. 8. for the dissolution of Monasteries, and other religious houses, hauing not landes, reues, or other hereditaments, aboue the cleare peerele value of CC. pound, and committed to the suruey of the court of Augmentations to any person or persons, or bodies politike) for any estate of inheritance, there shall bee alwayes reserved to the king, his heires and successors, a Tenure by knights seruice in capite, any thing or cause contained in warrant to the contrary thereof notwithstanding. After by the statute made 35. H. 8. 14. and 37. H. 8. 20. It was provided, that the said king Hen. 8. might at his pleasure during a certaine time reserve vpon his letters patentes graunted of certaine landes in the saide Statutes mentioned, (not exceeding the peerele value of xl. shillings, which were belonging to any of the forenamed dissolved Monasteries) certaine other tenures, and not in Capite.

The patents of H. 8. and Ed. 6. confirmed, notwithstanding the commission of tenures.

7. ¶ But by the statute of 7. Ed. 6. 3. It was ordained, that all letters patentes made by king Hen. 8. sithence 4. Februarie, Anno 27. of his Raigne, and by king Edward 6. sithence 28. Januarii, Anno 1. of his Raigne, of bargaines, sales, giftes, exchanges, or otherwise, sealed with the great seale of England, or with the great Seale of the Duchy of Lancaster, shalbe good, perfect, and available to all intents and purposes, according to the saide letters patentes, the nonage of the saide king Ed. 6. as Duke of Lancaster, the lacke, or losse of the particulars, or bill signed of the patentees, or any acte, statute, or lawes, for or concerning any tenures, reservations of rentes, or censes, to the contrary notwithstanding. 7. Ed. 6. 3.

1. What

1. What tenure of the Queene doeth draw to her wardship, and what not. S. Wardes 18.

2. That he which holdeth his land by new Escheat of the Queene, holdeth not in Capite. S. Prerogative 8.

3. That eche Coparcener of landes holden of the Queene in Capite, shall haue part of the same lands, and hold by the same tenure. S. Partition 1. Prerogative 6.

Tyles.

Every person which shall vse the occupation of making of thacke Tyle, Frouse Tyle, crest Tyle, corner Tyle, or gutter Tyle, shall make it good, seasonable, able, sufficient, and well whited and annealed, and the ground whereof any such Tyle shall be made, shall be digged and cast vp, before the first day of Nouember next before that they shall be made, and the same earth shall be stirred and turned before the first day of February then next following, and the same earth before it bee put to making of Tyle, shall bee truely wrought and tried from stones, & also the vaines called Payline, or Parle, and Chalke, (lying commonly in the ground neere to the land conuenient to make Tyle) after the digging of the said ground, whereof any such Tyle shall be made, shall be well and truely seuered, and cast from the earth whereof any such Tyle shall be made. 17. Ed. 4. 4.

The preparation of the earth, for the making of Tyle.

2. Every such plaine Tyle shall containe in length tenne ynches and a halfe, and in breadth sixe ynches and a quarter, and in thiknesse halfe an ynch and halfe a quarter at the least, and every such rouse tile, or crest Tile, shall containe in length xiii. ynches, and the thiknesse of halfe an ynche and halfe a quarter at the least, with conuenient deepenesse accordyng, and every gutter Tyle and couer Tyle shall containe in length tenne ynches and a halfe, with conuenient thiknesse, breadth, and depeth, accordyng. And if any person set to sale any such Tyle made against the foresaide ordynance, then the seller shall forsaite to the buyer the double value of the same Tyle, and besides shall make fine to the Queene at her pleasure, and every person that feeleth himselfe grieved and will sue, shall haue an action of debt against the offendours, and the plaintife (if it be found with him) shall recouer his costs &c. wherein no T. E. P. &c. 17. Ed. 4. 4.

The length, breadth, and thiknesse of Tyle.

3. The Iustices of Peace within any Countie of this Realme and every of them, haue power to enquire, heare, and determine the defaults and offences done against this Acte, and if it be found or may appeare to the said Iustices, or any of them, by examination, or other wyse by their discretions, that any person hath offended contrary to this Acte, then the same Iustices shall assesse vpon the offendours no lesse fine, then for every thousand of plaine Tile set to sale contrary to this Acte fine s. and for every hundred of frouse Tile vi. s. viii. d. And for every hundred of corner tile, or gutter Tile ii. s. And if lesse be put to sale or solde, lesse fines shall be payd therfore, accordyng

Iustices of p. shall heare and determine the offences of Tyle making.

Tythes, Oblations, &c.

according to the rate thereof, by the discretion of the said Justices, or any of them. 17. Ed. 4. 4.

Searchers of
Tile.

4 And the same Justices haue power to call befoze them, or any of them, such, and so many persons, as shall haue best experience or knowledge in the occupation of making of Tyle, to search and examine the digging, casting, turning, parting, making, whitening, and annealing aforesaid. And they which so shall bee assigned Searchers, shall haue power to make such search. And no person shall put such Tyle to sale, befoze it bee searched by the saide Searchers, vpon paine of forfaiture of the same. And if the same Searchers or any of them doe finde, that any person exercising the occupation of Tyle making, do offend contrary to this ordinance, then they shall present such defaultes befoze the saide Justices at their next Sessions, and euery such presentment shall bee as effectuell in the Lawe, as the presentment of xii. men. 17. Ed. 4. 4.

The Searchers
fee and
duetie.

5 And such Searchers shall haue of euery Tyle maker for euery thousande of plaine Tile searched, a peny, of euery hundred rouse tile, ob. and of euery hundred corner Tile and gutter Tile a farthing. And the same Searchers shall doe their effectuell diligence in this behalfe, according to this ordinance, vpon paine of forfaiture to the Quene for euery default ten shillings. 17. Ed. 4. 4. 8. Justices of peace, 97.

Tythes, Oblations, &c.

A decree for
the payment
of tythes in
London and
the liberties.

Such order and direction as was made and decreed by the Archbishop of Canterbury, and certayne Lordes and Knights to whom aswell the Parsons, Vicars, and Curates of the Citie and liberties of London, as the Citizens and inhabitants of the same did comppromise, and put themselves concerning the payment of Tythes, Oblations, and other dueties, within the said Citie, and liberties of the same, and is enrolled in the Chauncery of Records, shall be as an Act of Parliament, and shall binde aswell all Citizens, and inhabitants of the said Citie and liberties, as the Parsons, Vicars, and Curates, and their successors for euer, according to the purport and intent of the said order and decree, which decree is as followeth. 37. H. 8. 12.

The decree.

1 The Citizens and inhabitants of the Citie of London and liberties of the same, shall yeerely without fraud for euer, pay their Tythes to the Parsons, Vicars, and Curates of the said Citie, and their successors after the rate following, viz. of euery p. s. rene by the peere of all houses, shoppes, warehouses, sellers, and stables, and euery of them within the saide Citie, and liberties of the same xvi. d. ob. And of euery p. s. rene by the peere ii. s. ix. d. and so aboue the rent of p. s. by peere, ascending from p. s. to p. s. according to the rate aforesaid.

A house rented
at r. s. shall pay
xvi. d. ob. for
tythe.

Leases refer-
ring no rent,
or lesse then
hath bene ac-
customed.

2 Where any lease hath bene, or shalbe made of any dwelling house or houses, shoppes, warehouses, sellers, or stables, by fraude, reseruing lesse rent then hath bene accustomed, or without any rent reseruing by reason of

any

any fine payed before hand, or by any other fraude, then the farmor thereof shall pay for his tythes of the same after the rate aforesaid, according to the quantitie of such rent, as the same houses, shops, warehouses, sellers, or stables, or any of them were last letten for, before the making of such lease.

4 ¶ Every owner or inheritour of any dwelling house, warehouse, seller, stable, and shoppe within the saide Citie or libertie, inhabiting or occupying the same himselfe, shall pay after such rate of tithes, as is above said, after the quantitie of such peerele rent, as the same was last letten for.

Owners inhabiting their owne inheritance.

5 ¶ If any person shall take any mease or mansion place by lease, and the taker thereof, his executors or assignes shall inhabite in part thereof, and shall let out the residue, then the first taker, his executors or assignes shall pay his tithes after the rate aforesaid, according to his quantitie therein. And his assignes shall pay their tithes after the rate abovesaid, according to the quantitie of their rent by pere. And if any person shall take diuers mansion houses, shops, warehouses, sellers, or stables in one lease, and shall let out one or more of them, and keepe one or more in his owne hands, and inhabite in the same, then he shall pay his tithes after the rate abovesaid, according to the quantitie of the peerele rent of such house or houses retained in his hands. And his assigne or assignes of the residue shall pay his or their tithes after the rate abovesaid according to the quantitie of their peerele rentes.

Taking leases of all things by lease & letting part thereof.

6 ¶ If any farmor or his assignes of any mansion house or houses, warehouses, shops, sellers, or stables, shall let ouer all the same contained in his lease to one or diuers persons: Then the inhabitants, lessees, or occupiers of them, and of euery of them, shall pay their tithes after the rate of such rents, as the inhabitants, lessees, or occupiers, and their assignes shall be charged withall.

The tenant of severall houses assigned all the same.

7 ¶ If any dwelling house (within viii. yeeres before this decree) was, or hereafter shall be converted into a warehouse, storehouse, or such like, or if a warehouse, or storehouse, or such like within the foresaide time was, or shall be converted into a dwelling house: Then the occupiers thereof shall pay tithes for the same, after the rate above declared of mansion house rents.

A dwelling house made a warehouse, or storehouse & conuerso.

8 ¶ Where any person shall demise any Dyehouse, or Blewhouse, with implements convenient for dying or byewing, reseruing a rent upon the same, as well in respect of such implements, as of such dyehouse or blewhouse: Then the tenant shall pay his tythes after such rate as is above said, the third penny abated. And euery principall house with Key or Wharfe, hauing any Crane or Gibbet belonging to the same, shall pay after like rate of their rentes as is aforesaid, the third penny abated. And other Wharfes belonging to houses hauing no Crane or Gibbet, shall pay for their tithes, as shall be payed for mansion houses, in foyme abovesaid.

Dyehouse or Blewhouse with stock.

House with key or wharfe.

9 ¶ Where any mansion house with a shoppe or stable, warehouse, Wharfe with Crane, Timber yard, Tenteryard, or Garden belonging to the same, or as parcel of the same, is, or shall be occupied together, if the same

A house with other things occupied together and after severed.

Tythes, &c.

be after leuured: Then the farmor of farmors, occupier of occupiers thereof, shall pay such tythes, as is abouesaid for such shoppes, stable, ware houses, wharfes with Crane, Timber yard, Teinter yard, or Garden so leuured, after the rate of their seuerall rents thereupon reserved.

Citizens shall pay their tythes quarterly.

10 *The saide Citizens and inhabitants shall pay their tythes quarterly, viz. at the feast of Easter, the Natiuitie of Saint John Baptist, the feast of Saint Michael the Archangel, and the Natiuitie of our Lorde by euen portions.*

iii. Offering dapes.

11 *Every houtholder paying x. s. rent or above, shall for him or her selfe, be discharged of their 4. offering dapes, but his wife, children, seruane, or others of their family taking their rights of the Church at Easter, shall pay two pence for their iiii. Offering dapes yeerely.*

If house of x. s. rent be deuised into small parcels.

12 *If any house which hath bene or shall be letten for x. s. rent by the peere or more, be, or within viii. yeeres before this decree hath bene, or shalbe deuised and lesed into small parcels, peelding lesse yeerely rent then x. s. by peere: Then the owner (if he dwell in any part of such house) or else the principal lessee, if the owner doe not dwell in some part of the same, shal pay for his tythes after such rate of rent, as the same house was accustomed to be letten for, before such deuision. And the vnder farmor and farmors to be discharged of all tythes for such small parcels rented at lesse yeerely rent then x. s. paying ii. d. a peece yeerely for their iiii. offering dapes.*

Gardens.

13 *For such Gardens as appertayne not to any mansion house, and which any person shall hold in his hands for pleasure, or to his owne vse, the person so holding the same shall pay no Tythes for the same. But if any person which shall holde any such garden, containing halfe an acre or more, doeth, or shall make any yeerely profite thereof by way of sale, then hee shall pay Tythes for the same after such part of his rent, as is herein first aboue specified: But if any such gardens now (viz. at the time of the decree made) being of the quantitie of halfe an acre or more, hee hereafter by fraude deuised into any lesse quantitie, then to paye Tithe according to the rate abouesaid.*

The houses of noble men and Companies.

14 *This decree shall not extende to the houses of great men, or Noble men, or Noble women, kept in their owne hands, and not letten for any rent, which in time past hath payed no tythes, so long as they shall so continue vnletten. Nor to any Halls of Crafts, or Companies, so long as they be kept vnletten, so that the same Halls in time past, haue not vsed to pay any Tythes.*

Sheds, stables, sellers, timber yards, teinter yards.

15 *This decree shall not charge any sheds, stables, sellers, timber yards, ne tainter yards, which were neuer parcell of any dwelling house, ne belonging to any dwelling house, ne haue accustomed to pay any Tythes, but the Citizens and inhabitants thereof shalbe quitte of payment of tythes as hath bene vsed.*

16 *Where lesse summe then after xvi. d. ob. in the x. s. rent, or then ii. s.*

2. s. 12. v. in the xx. s. rent hath bene accustomed to be payed for tythes, then in such places the saide Citizens and inhabitantes shall pay but onely after such rate as hath bene accustomed.

Wells by this
some then
xvi. d. ob. in the
x. s. rent.

17 ¶ If any variance shall arise in the saide Citie for non payment of any Tythes, or if any variance or doubt arise upon the true knowledge or deuision of any rent, or tythes within the liberties of the said Citie, or of any extent or assessement thereof, or if any doubt arise upon any other thing contained within this decree: Then upon complaint made to the partie grieved, to the Maior of London for the time being, the saide Maior by the aduise of Counsell, shall call the said parties before him, and make a final ende in the same, with costes to be awarded by the discretion of the saide Maior and his assistants, according to the true intent of this decree. And if the said Maior make not an ende thereof within two moneths after complaint to him made, or if any of the saide parties finde themselves grieved: Then the Lord Chancellour upon complaint to him made within three moneths then next following, shall make an ende in the same, with such costes to be awarded, as shall be thought convenient, according to the intent of this decree.

It meane to
ende contenti-
on that may
arise upon de-
maunding of
tythes.

18 ¶ If any parson take any tenement for a lesse rent then it was accustomed to be letten for, by reason of any great decay, burning, or such like occasiōs or misfortunes, then he shall pay tythes only after the rate of the rent reserved in his lease, & no otherwise, as long as the same lease shall endure.

Tenement
let for a small
rent by reason
of decay.

19 ¶ Every person denying to pay any of his tythes, oblations, or other dueties, contrary to the said decree, shall by the commandement of the Maior of London, and in his default or negligence, by the Lord Chancellour, be committed to prison, there to remaine till he hath agreed with the Curate for his said tythes, oblations, and other dueties, as is aforesaid. 37. H. 8. 12.

Refusall to
pay tythes ac-
cording to the
decree.

20 ¶ All persons of the Queenes dominions, shal fully & truly set out, or pay all and singuler tythes & offerings, according to the lawfull customes of the Parishes and places where such tythes or dueties shall grow, arise, or be due. And in case any person of his peruerse wil, shall withhold any of the said tythes or offerings, or part thereof, then the partie being Ecclesiastical or lay person hauing cause to demand or haue the same, being thereby wronged or grieved, shall and may conuent the offender before the Ordinarie, his commissary, or other competent minister, or lawfull Judge of the place where such wrong shall be done, according to the Ecclesiastical lawes. And in every such case the same Ordinarie &c. hauing the parties, or their lawfull procuratours before him, shall and may proceede to the examination, hearing and determining of every such cause ordinarily or summarily, according to the course and proces of the Ecclesiastical lawes, and thereupon may giue sentence accordingly. 32. H. 8. 7. 37. H. 8. 20.

Tythes shalbe
payed accor-
ding to the cus-
tome of the
parish where
gc.

The offender
conuented be-
fore the Ordina-
ry.

21 ¶ And in case that any of the parties for any cause concerning that suit, do appeale from the sentence of the said Ordinarie or Judge: Then the

The appella-
nt shall pay costs
of suit to the
same other part.

Sanse Judge forthwith shall adiudge to the other partie the reasonable costs of his suite therein before expended, and shall compell the appellant to pay the same costes by compulsoire proces of the saide Ecclesiasticall lawes, taking suertie of the other partie to restore the same costes to the appellant, if after the principal cause of that suite of appeale shall be adiudged against the same partie, to whom the said costes shall be yelden. And so euery competent Judge Ecclesiasticall shall adiudge costes to the other partie, vpon euery appeale made in any suite or cause of subtraction or detention of any tithes or offerings, or in any other suite made, for or concerning the due tie of such tithes or offerings. 32. Hen. 8. 7.

The offendour bound by two Justices to obey the Ordinaries sentence.

22. ¶ If any person after such sentence definitive giuing against him, obstinately refuse to pay his tithes or duties, or such summes of money so adiudged, wherein hee is condemned for the same: Then two Justices of the peace of the same shire (whereof one to be of the Quorum) haue authoritie vpon Information, Certificate, or complaint to them made in writing by the Ecclesiasticall Judge that gaue the same sentence, to cause the same person so refusing, to be attached and committed to the next gaole, and there to remaine without baile or mainprise, vntill he shall haue found sufficient suerties, to be bound by recognizance or other wise before the same Justices to the vse of the Queene to performe the said sentence. 32. Hen. 8. 7. And in like sort may any one of the Queenes Counsell, or two Justices of peace, vpon an information and request made to them by the Ordinarie, commit any offendour to warde, for any contempt, contumacy, disobedience, or any other misdemeanour of his, in any suite for subtraction of tithes, offerings, or other duties of the Church, vntill hee hath founde suerties &c. vt supra. 27. Hen. 8. 20.

Recoquer and recompence in a temporall court of tithes and other spiritual living.

23. ¶ In all cases where any person shall haue state of inheritance, freehold, terme, right, or interest, of, or in any parsonage, vicarage, portion, pension, riches, oblations, or other Ecclesiasticall profite, made temporall, or admitted to abide in temporall handes, and lay vles by the Lawe or statutes of this Reame, shall be disseised, wronged, or other wise kept or put from his lawfull inheritance, estate, seisin, possession, right, or interest, of, in, or to the same, or any parcell thereof, by any other pretending to haue title to the same: Then hee, his heires, wife, and such other, to whom such iniurie shall be done, shall and may haue their remedie in the Queenes or other Temporall Courtes as the case shall require, for the recoquerie of the same by Writtes originall of Praecipe quod reddat, Assise of Novel disseisin, Mortgage, Quod ei deforciat, Writtes of Dower, or other Writtes originall as the case shall require, deuised and graunted in the Chauncery, of euery such Parsonage, Vicarage, portion, pension, or other profite called Ecclesiasticall or Spirituall so to be demanded according to the nature and cause of the suite thereof, in like maner and forme, as he should, might, or ought to haue had, of, or for landes, or other hereditaments in such maner to

he demanded; And Writs of covenant, and other Writs for fines to be leuied, and all other assurances to be made or contieied of any such Parsonage, Vicarage, portion, pension, or other profit called Ecclesiasticall or Spiritual, shalbe deuised and graunted in the said Chaucery, according as hath bene vled for fines to be leuied, and assurance to be made of lands, tenements, or other hereditaments. And all iudgements to be giuen vpon any of the said writs originall for any the premises, and all fines to be leuied in any of the Queenes saide Courts thereof, shalbe of like effect in the same to all intents, as iudgements giuen and fines leuied of landes &c. in the same courts vpon writs originall thereof ouerly pursued. 3. 2. H. 8. 7.

24. ¶ But this Acte shall not giue any remedy or cause of action in the Courts temporell, against any person which shall refuse to set out his Tythes, or which shall withholde or refuse to pay his Tythes or offerings. But the partie hauing cause to demaunde the same, shall take his remedy for them in every such case in the spiritual Court, according to the ordinance aforesaid. 3. 2. H. 8. 7.

25. ¶ Every of the Queenes subiects shall truly and fully without fraude or guile, deuise, set out, perceiue, and pay all maner of their prediall tythes in their proper kinde as they rise and happen, in such maner and forme, as hath bene of right perceiued and payed within fourtie yeeres, next before the making of this acte (being 4. Henrich. 8. An. Dom. 1548.) or of right or custome ought to haue bene payed. And no person shall take or carry away any such or like tythes which haue bene perceiued or payed within the said 40. yeeres, or of right ought to haue bene payed in the place or places tithable of the same, before hee hath fully set forth for the tithes thereof the tenth part of the same, or otherwise agreed for the same tythes with the Parson, Vicar, or other owner, proprietary, or Farmor of the same Tythes, vnder the paine of forfeiture of double value of the tythes so taken or carried away. 3. 2. H. 8. 7.

26. ¶ At all times whensoever the saide prediall Tythes shalbe due at the tithing time of the same, it shall be lawfull to every partie to whom any of them ought to be payed, or his depucie, or seruant, to see their said tithes to be truly set forth, and seuered from the ninth parts, and the same quietly to take and carry away. 3. 2. H. 8. 7.

27. ¶ If any person carry away his coine or hay, or his other prediall tythes, before tithes thereof be set forth, or willingly withdraw his tythes of the same, or of with other things whereof prediall tythes ought to be payed, or doe stoppe or let the parson, vicar, proprietary, owner, or other their depucies or farmors, to take, and carry away their tythes by reason whereof the said tithes or tenth is lost, or hurt. Then vpon due proofe thereof made before a spiritual Iudge or any other Iudge to whom he resorteth, he might haue made complaint, he shalbe to carrying away, with drawing, or letting, shall pay the double value of the tenth, or tithes so taken, lost, withdrawn, or

To which of the spiritual Court shall be referred the cause of the tithes.

Setting forth or paying of prediall tythes.

Setting forth or paying of prediall tythes.

Setting forth or paying of prediall tythes.

The Parson may carry away his tithes.

Carrying the coine or hay before tithes be set forth, or letting the Parson to take his tithes.

carried away, besides the costes, charges, and expenses of the suite in the same, the same to be recovered before the Ecclesiasticall Judge according to the Queenes Ecclesiasticall lawes, 2. Ed. 6. 13.

The tithes of cattell feeding in any waste ground, whereof the parish is not knowne.

28. ¶ Every person which shall have any beasts or other cattell tithable going or feeding in any waste or common ground, whereof the Parish is not certainly knowne, shall pay his tithes for the increase of the said cattell to the Parson, vicar, proprietary, portionary, owner, or other their farmor or deputies of the Parish, hamlet, colne or other place where the owner of the said cattell dwelleth, 2. Ed. 6. 13.

The Tithes of barren heath or waste ground.

29. ¶ All such barren heath, or waste ground (other then such as be discharged for the payment of tithes by act of Parliament) which before this time hath bene barren, and payed no tithes by reason of such barrennes, and shalbe employed, and converted into arable ground or medowe, shall after the ende of vii. yeeres next after such improuement, pay tithes for the corn and hay growing upon the same. But if any such barren, waste, or heath ground hath before this time bene charged with the payment of any tithes, and the same be after employed, and converted into arable ground or medow, Then the owner thereof shall during vii. yeeres next following from and after the same employment, pay such kinde of tithes as was payed for the same before the said employment, 2. Ed. 6. 13.

Marchants and handicraftsmen shall pay the part of their gaires.

30. ¶ Every person exercising marchandizes, bargaining, and selling, clothing, handicraft, or other arts, or facultie, being such kinde of persons, and in such places as heretofore within these xl. yeeres haue accustomedly used to pay such personall Tithes, or of right ought to pay (other then such as be common day labourers) shall yearly at, or before Easter, pay for his personall tithes (the tenth part of his cleare gaires, his charges and expenses according to his estate therein deducted.) But in all such places where handicraftsmen haue used to pay their Tithes within these forty yeeres, the same custome of payment of Tithes shall bee obserued and continue, 2. Ed. 6. 13.

The Ordinary may examine him which refuseth to pay his personall Tithes.

31. ¶ If any person refuse to pay his personall Tithes in forme aforesaid: Then it shalbe lawfull to the Ordinary of the same diocess where the said partie is dwelling, to call the same partie before him and by his discretion to examine him by all lawfull and reasonable meanes (other then by the parties owne coppyall or the) concerning the true payment of the said personall Tithes, 2. Ed. 6. 13.

Payment of offerings.

32. ¶ Every person which ought to pay offerings, shall yearly truly pay them to the Parson, vicar, proprietary, or other deputies or farmors of the parish where hee shall dwell or abide, at such four offering dayes, as at any time within the space of foure yeeres last past, (being a. Montibus, An. Dom. 1548.) hath bene accustomed for the payment of the same. And in default thereof, to pay for the saide offerings at Easter then next following, 2. Ed. 6. 13.

33. **T**his act shall not extend to any Parish which stands upon any toward the sea coastes, the commodities and occuppyng wherof consisteth chiefly in fishing, and haue by reason thereof used to satisfie their tithes by fish. But every such Parish shall pay their tithes according to the lawdable customes as they haue heretofore of auncient time within this Realme used, and shall pay their offerings as is aforesaid. 2. Ed. 6. 13.

34. **I**f any person doe withhold any tithes, obventions, profits or other dueties before mentioned, or any part thereof contrary to the true meaning of this or any other act heretofore made, then the partie withholding may or shall be conuented and sued in the Queenes Ecclesiasticall Court, by the partie from whence the same shall bee withholden, to the intent the Queenes Judge Ecclesiasticall, shall and may then and there heare and determine the same, according to the Queenes Ecclesiasticall lawes. And it shall not be lawfull unto the Parson, Vicar, proprietor, owner or other their farmours or deputies, contrary to this act, to conuent, or sue such withholders of Tithes, obventions, or other dueties aforesaid, before any other Judge then Ecclesiasticall. 2. Ed. 6. 13.

35. **I**f any Archbishop, Bishop, or other Judge Ecclesiasticall giue any sentence in any of the foresaid causes of tithes, obventions, or other dueties aforesaid, (and no appeale ne prohibition hanging) if the partie condemned do not obey y^e said sentence: Then it shall be lawfull to every such Judge, to excommunicate the said partie condemned, and disobeying, in the which sentence of excommunication, if the said partie excommunicate wilfully endure still excommunicate by the space of 40. dayes next after, upon denunciation & publication thereof in the parish Church of the place or parish where the partie so excommunicate is dwelling or most abiding, the said Judge may then at his pleasure signifie to the Chauncerie the state and condition of the said partie so excommunicate, and thereupon require procs De excommunicato capiendo, to be awarded against him. 2. Ed. 6. 13.

36. **T**his act shall not giue any minister or Judge Ecclesiasticall any iurisdiction to holde plea of any thing being contrary or repugnant to the effect or meaning of the statute of Westminster 1. 5. the statutes of Articuli cleri, Circumspiciatis, Silua ex duar, the treatise de Regis prohibitionibus, ne against the statute of 2. Ed. 3. 10. or any of them, ne yet to holde plea in any matter wherof the Queenes Court of right ought to haue iurisdiction. 2. Ed. 6. 13. 5. 38. 39. S. Prohibition. 1. 2. 3. 4. 5. 6.

37. **T**he foresaid statute of 27. H. 8. 1. 2. 3. 4. 5. 6. shall not extend to any inhabitants of the Citie of London, and suburbs of the same for the payment of their tithes and offerings, neither the statute of 2. Ed. 6. shall extend to the inhabitants of the Citie of London and Canterburie, and the suburbs of the same, nor to any other Towne or place that hath used to pay their tithes by their houses, or otherwise, then they ought or should haue done before y^e 27. H. 8. 20. 32. H. 8. 7. 2. Ed. 6. 13.

Tithe of fish.

Suites for withholding of tithes shall be in the ecclesiasticall court, and not elsewhere.

The offenders disobeying the Judges sentence shall be excommunicate.

Excommunicato capiendo.

Of what things the Judge ecclesiasticall shall not hold plea.

London. Canterbury.

Windemill

Silua credua.

Silua credua.

Certaine Ab-
bey lands dis-
charged of
tithes.of tithes
which ought to
be paid by the
abbey lands
which are dis-
charged of
tithes.Tithes of
marriage
goods in
Wales.
Discharge of
tithes by pre-
scription or
composition.Excessive tolle
taken in Cities
or Townes.

Tolle at Mill.

38. If any person do erect a new Mill in his ground, he shall pay tithes for the same, Articuli. cler. 9. Ed. 2. 5. S. Prohibition 6.

39. If a man doe sell great wood of the age of 21. yeeres or above, no tithes shall be payed therefor. 25. Ed. 3. 3. S. Prohibition 7.

40. Every person and persons, their heirs, and assignes, having any Monasteries, Priories, Nunries, Colleges &c. or other Ecclesiasticall houses or places &c. or any manors, messuages, personages appropriate &c. or other hereditaments which belonged into the said Monasteries, Priories &c. which were discharged of and for the payment of tithes being in the hands of the Abbots, Priors &c. or other Ecclesiasticall governors, shall have and enjoy every of the said Monasteries, Priories, lands, tenements, and other hereditaments, according to their estates and titles, discharged of payment of tithes, in as ample manner as any of the said Abbots, Priors, &c. or other Ecclesiasticall governors helme or enjoyed the same at the dayes of their dissolution, or comming to the hands of king Hen. 8. of the same. 31. Hen. 8. 13.

41. No tithes of marriage goods shall be required of any person within Wales, or the Marches thereof. Neither shall any person be compelled to pay tithes for the lands or hereditaments which by the laws and statutes of this realme, or by any privilege, or prescription are not chargeable with the payment thereof, or that be discharged by composition real. 2. Ed. 6. 1. 31.

1. That where money for tithes is demanded in a spiritual court the Q. prohibition doth lie. S. Prohibition 1.

2. Where upon suit for tithes in an Ecclesiasticall court a prohibition is grauntable, and where a Consultation. S. Prohibition 10.

Tolle

If any doe take any outrageous Tolle contrary to the custome of the Realme in a market Towne which is the Quenes towne and let to fee farme, the Queene shall seise the franchise of the Market into her owne hand. And if it bee in other Towne, and that be done by the Loyde of the Towne, the Queene shall doe in like sort, and if it be done by a barone or any meane officer without the commaundment of his Loyde, he shall restore to the plaintife for his outrageous taking, so much as hee hath received of him if he hath carried away the Tolle, and shall be imprisoned 21. dayes. 2. Hen. 1. 3. Ed. 1. 30.

Tolle at Mill. Tolle at Mill shall be taken according to the custome of the Realme, and the strength of the course of the water, as of the 11. coine of the realm. and the measure whereby Tolle shall be taken, shall agree with the Quenes measure, and it shall be taken by the strike, and not by heape, and if the farmers doe finde to the Millers things necessary for them, they shall take but their due Tolle, and if they doe other wise they shall be punished. 3. Ed. 1. Stat. de vitellarijs.

1. When,

1. When,

When, where, and of whom toll for horses shall be taken in a fair or market, *So Paires &c.* *It is not lawfull to take toll of fish brought into this realme.* *So Shippes.* *That aliens made denizens, shall pay such tolles as they did before.* *So Aliens.*

If any person or persons, or bodies politick being owners or possessors of any desolate or void grounds, that at any time within xlv. yeeres next before the making of this act (being the 16. of Januarie An. Dom. 1541) have bene builded for houses of habitation, or for any house or houses of habitation now or hereafter being in decay and not fully fallen downe, within the liberties and precincts of any of the boroughs, townes, and places within the wallles, and liberties of the city of Cantuarie, the city of Rochester, the boroughs and townes of Stamford, and great Grimsbie in the countie of Lincoln, the towne of Cambridge in the countie of Cambridge, the borough or towne of Darbie in the countie of Darbie, the borough or towne of Gifford in the countie of Surrey, the towne of Dunwich in the countie of Suffolke, the boroughs or townes of Cinque pores with their members, the towne of Lewes in the countie of Sussex, and the towne of Buckingham in the countie of Buckingham, doe not sufficiently reedifie, build, and repaire, or cause to be reedified, builded, and repaired the said desolate and void grounds, and decayed houses convenient for habitation and dwelling, within two yeeres next after proclamation made in or upon the same void ground or grounds, decayed house or houses, by the *Sherrifs, Aldermen, and Burgesses*, or other head officers within the precinct of their owne authorities, Then it shall be lawfull for the chiefe lord or lords immediate, of whom such desolate and void grounds, decayed and ruinous houses be holden, after the said two yeeres be expired, to enter into the same, and to have the same grounds or houses with the curtelage, backeside, and garden adjoyning to the same (if they be of the inheritance of the owner or owners of the said decayed house or ground, and exceed not one acre of ground) to them and to their heires or successors, or to their owne proper use forever, so that the said lord or lords immediate entering by the authority of this act, do sufficiently reedifie, build, or repaire the same void ground, or decayed houses within two yeeres and a halfe next immediately following the determination of the foresaid first two yeeres. *33. H. 8. c. 36.*

And no such lord or lords as may enter by this act do not enter, and well and sufficiently reedifie, build, or repaire the same void ground or decayed houses within the said two yeeres and a halfe to them limited by this act, or if such lord or lords immediate as may enter, do sufficiently reedifie, build, and repaire the same void grounds or decayed houses within the said two yeeres and a halfe, to them limited, and after they, their heires, or successors

It provision for the repaire of houses in certaine great townes.

The chiefe lord enter.

Restraint of the use of the same

The entrie of
them which in
have rent
charge.

cellars suffer the same houses or void groundes to fall in ruine and decay, and not build or reedifie the same sufficiently within two yeeres and a halfe after such ruine or decay: Then it shall be lawfull to all person or persons or bodies politike as shall then haue any rent charge toyntly or severally going out of the said void ground or groundes, or decayed house or houses in any of the said cities, boroughs, townes or places, immediately after the said two yeeres and a halfe expired, to enter into the same, and to haue to such of them, their heires and successours to their owne proper vse as shall so build the said void groundes or decayed houses by authoritie of this act, the same void groundes or houses with the curtelage, backside, and garden adioyning to the same, if they be of the inheritance of the owner or owners of the said decayed houses or ground, and exceed not in quantitie one acre of ground, discharged of all rentes going out of the same groundes or houses, as well against the said lord and lords immediate, as all other person or persons or bodies politike hauing any rent or rents charges, or rent secke out of the same, other then the fee ferme of the said citie, borough, towne or place, or some parcell thereof, so that the said person or persons, or bodies politike, hauing the said rent charge, entering by the authoritie of this act, do sufficiently reedifie, build, and reparaire the same desolate or void ground or groundes, or decayed house or houses within one yere and three quarters next and immediately following the determination of the said two yeeres and a halfe to the said lord or lords immediately appointed by this act. 33. H. 8. 36.

The entrie of
the head officers of corporate townes.

The entrie of
the head officers of corporate townes.

33. And in case such person or persons, or bodies politike, hauing any of the said rents, charges, as may enter by this act, doe not enter, and well and sufficiently reedifie, build, or reparaire the same void ground or decayed houses within one yere and three quarters to them appointed by vertue of this act, or if they or any of them hauing such rent, charge, and that may enter by this act, doe sufficiently build and reparaire the same void ground or groundes, or decayed house or houses, within the said one yere and three quarters to them limited, and after, they, their heires, or successours suffer the same void ground or groundes, house or houses to fall in ruine and decay, and doe not build or reedifie the same sufficiently within one yeere and three quarters after such ruine or decay: Then it shall be lawfull to the Mayor, Aldermen, and Burgessees, and other head officers in the said city, boroughs, townes, and places by what name or names soener they be incorporated, and their successours, and euery of them within the limites of their authorities, immediately after the said yeere and three quarters expired, into euery such desolate void groundes, decayed or ruinous houses, to enter, and haue, holde, and enioy to them and their successours for ever, to their owne vles, the same groundes or houses, and euery of them with the curtelages, gardens, and backesides to the same, if they be of the inheritance of the owner or owners of the said decayed house or ground, and exceed

ceed not in quantitie one acre of ground, clerely discharged of all rents go-
ing out of the same grounds or houses, as well against the said lord by lord
immediate, as all other person or persons, or bodies politike having such
rent charge or rent seck, as before is said, other then the fee ferme of the
said lord, borough, towne, or place, or parcell thereof. So that the same
Mayors, Aldermen, and Burgeses, or other head officers, as is aforesaid,
or their successors for the time being, doe reedifie, builde, or repaire, or
cause to be reedified, builded, or repaired, the same ground or grounds,
house or houses, within three yeeres next and immediately following the de-
termination of the said yeere and three quarters, limited or appointed to such
person or persons, or bodies politike, that have or shall have any rent as is
aforesaid. An. 3. H. 8. 3. 6.

4 And in case the said Mayors, Aldermen, and Burgeses, or other
head officers, as is aforesaid, or their successors, do not enter, and reedifie,
build, and repaire the same void ground or grounds, decayed house or hou-
ses, in forme aforesaid, within the said three yeeres after their said
entrie, or if they sufficiently reedifie, build, and repaire the same void ground
or grounds, or decayed house or houses, within the said three yeeres to them
limited by this act, and after they or their successors suffer the same house or
houses, void ground or grounds, to fall in ruine and decay, and do not build
and reedifie the same sufficiently within three yeeres after such ruine or de-
cay: Then it shall be lawful to the first owner or owners, possessor or pos-
sessors of such void ground or grounds, decayed house or houses, their heirs
or successors, immediately after the said three yeeres (to the said Mayors, Al-
dermen, and Burgeses, or other head officers, as is afore limited) expired,
into the same house, ground or grounds, curtilages, gardens and backsheds,
to enter, and the same to retaine to them, their heirs and successors, as in
their first estate. 3. H. 8. 3. 6.

The first owner
entrie.

5 But this act shall not be prejudiciall to any person or persons being
at the time of the said proclamation made, under the age of xxi. yeeres, or be-
ing feme covert, or in prison, or beyond the sea in the Queenes warres, or
in his other lawfull affaires, or to any person or persons not being then of
whole and perfect memorye, during the time that such person or persons
shall be within age, married, in prison, or of a perfect memorye, or beyond the
sea, so that the same person or persons, their heirs or successors, after that
he or they come to their full age of xxi. yeeres, or be unmarried, out of prison,
or come againe within this realme, or be of whole and perfect memorye
within three yeeres then next ensuing, doe reedifie the same decayed or void
grounds, or repaire the said decayed houses. An. 3. H. 8. 3. 6.

Infants, feme
covert, out of
the realme, in
prison, lunas
like persons
right reserved.

6 And, y^e 1. H. 8. 4. all the statutes made in our predecessors like pro-
vision of making for the repairing of the towne of Shrewsbury in the
countie of Salop, the cite of Chester in the countie of Chester, the towne
of Ludlow in the countie of Salop, Powertowne in the countie of Pow-
erford

uerford

Townes.

versford in South Wales, the towne of Penrynke, Lembre in the countie
of Penrynke, the towne of Rarnmerdin in the countie of Rarnmerdin, the
towne of Pontgonerie in the countie of Pontgonerie, Cardiffe, Swa-
nelles, Corbwing, new Radnor, and Presten in the countie of Radnor, the
towne of Brecknoche in the countie of Brecknoche, and the towne of Pon-
mouth in the countie of Pommouth, the towne of Paldon in the countie of
Giles, the townes of Abangweny, Aile, Carlion, and Newporth in the
countie of Pommouth, the townes of Lancaster, Preston, Lircpole, and
Wigan in the countie palatine of Lancaster, 37. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869. 870. 871. 872. 873. 874. 875. 876. 877. 878. 879. 880. 881. 882. 883. 884. 885. 886. 887. 888. 889. 890. 891. 892. 893. 894. 895. 896. 897. 898. 899. 900. 901. 902. 903. 904. 905. 906. 907. 908. 909. 910. 911. 912. 913. 914. 915. 916. 917. 918. 919. 920. 921. 922. 923. 924. 925. 926. 927. 928. 929. 930. 931. 932. 933. 934. 935. 936. 937. 938. 939. 940. 941. 942. 943. 944. 945. 946. 947. 948. 949. 950. 951. 952. 953. 954. 955. 956. 957. 958. 959. 960. 961. 962. 963. 964. 965. 966. 967. 968. 969. 970. 971. 972. 973. 974. 975. 976. 977. 978. 979. 980. 981. 982. 983. 984. 985. 986. 987. 988. 989. 990. 991. 992. 993. 994. 995. 996. 997. 998. 999. 1000.

peres: Then it shalbe lawfull to all such persons or bodies politike &c. as shall then haue any rent charge going seuerally out of any of the saide grounds or houses &c. immediatly after the said two peres expired to enter into the same, and to haue the same to them, their heires &c. for ever, so that the said persons or bodies politike &c. doe sufficiently reedifie the same grounds within one yere next following the determination of the said two peeres, and in case such persons or bodies politike &c. hauing the said rent charges &c. do not enter, sufficiently reedifie &c. the same grounds &c. within the said one yere &c. Then it shall be lawfull to the Maiors, Sherrifs, bailiffs or comminalty, or other head officers of the said cities, boroughs &c. or their successors &c. immediatly after the said yere expired, into euery such grounds, houses &c. to enter, and the same to enioy &c. to them and their successors for ever, cleerely discharged of all rent going out of the saide grounds or houses, as well against the said lord, as all persons, or bodies politike hauing any such rent, so that the saide Maiors &c. or their successors &c. do reedifie &c. the same grounds, houses &c. within three peres immediatly following the determination of the said yere &c. And in case the said Maiors &c. or their successors doe not enter and reedifie &c. within the said terme of three peres &c. Then it shalbe lawfull to the first owners, possessioners &c. of such void grounds or decayed houses &c. their heires or successors immediatly after the said three peres expired, into the same grounds or houses &c. to reenter, and the same to retaine to them, their heires and successors as in their first estate. In which statutes there be severall provisions &c. that the saide acts shall not be prejudiciall to any persons being at the time of the saide proclamation made, vnder the age of one and twentie peeres, to any woman being married, to any person being in prison, or beyond the Sea in the Queenes warres, or in his other lawfull affaires, during such time &c. So that the same person do within three peres next ensuing (that same imperfection remoued) reedifie &c. the same grounds, houses &c. as is aboue said &c.

8. Anno 27. H. 8. 1. it was enacted that if any owner or owners of any void and decayed houses, or grounds within the precinct of the townes of Nottingham, Sherwburie, Lufrow, Gloucester, Bridgenorth, Quinborough, and Northampton, within three peres next after proclamation thereof to be made by the Maiors, Sherrifs, and Bailiffs, of any of the saide townes, in or vpon any such vacant or decayed houses or grounds, doe not enter, and sufficiently reedifie the same houses, groundes &c. Then it shalbe lawfull to the lord of whom such grounds &c. shalbe holden, to enter immediatly after the said three peres expired, and to haue the same to him, his heires and successors for ever, so that the said lord do sufficiently reedifie the same within three peres next and immediatly following the determination of the former three peeres. And if such lord do not enter and sufficiently reedifie the same within the said three peeres: Then it shall be lawfull

Townes, Transportation.

full to the said Paiores, Shiris, bailifs &c. and their successors after the said three yeeres expired, to enter into every such grounds, or houses, and the same to retaine to them and their successors for ever, discharged of all rents going out of the same, so that the same Paiores &c. or their successors doe sufficiently reedifie the same grounds &c. within three yeeres next following the determination of the former three yeeres. And in case the said Paiores &c. and their successors do not enter, and sufficiently reedifie the same decayed houses or grounds, in forme aforesaid, within the said terme of three yeeres, Then it shalbe lawfull to the first owners of such decayed grounds, their heires or successors immediately after the same three yeeres expired, into the same &c. to recenter, and them to retaine them, their heires and successors, as in their first estate. In which act there is a proviso for every person being at the time of the proclamation made, under age, a woman couert, in prison, beyond the sea &c. vt supra.

1 That he which dwelleth in the countrey shall not sell wares in corporat or market townes by retaille, S. Merchandise 12. 12.

2 That cloth to bee put to sale, shall not bee wrought but in market townes, S. Draperie 78.

Transportation.

FOR the transporting of Corne, Beere, Butter, Cheese, Herring, and Wood. S. Corne 1. 3. 4. 6. 7.

2 For transporting of Artillarie by any alien, S. Archerie 6.

3 For the transporting of cloth of all prices and sorts, and of woollen yarne, S. Draperie 100. 101. 102.

4 For the transporting of Brasse, Copper, Latten, Metall. S. Brasse 1.

5 For the transporting of any kinde of sheepe being alive, S. Sheepe 1. Felonie 3.

6 For transporting of leather, tallow, and raw hides, S. Leather 33.

7 For transporting of golde or silver in money, bullecon, plate, or vessels, S. Money 3. 4. Merchants 9. Premunire 2.

8 For transporting of horses, mares, or geldings, beyond the sea, or into Scotland, S. Horses 13. 16, Felonie 1.

9 For transporting of shooes, boots, buskins, sturttups &c. S. Leather 35.

10 For transporting of sheepskins, woolfels, the skins of any Stagge, Hinde, Bucke, Doe, Kid, or the leather made of them, S. Merchants 4.

11 For transporting of fish, S. Ships 1. Fish 18.

12 For transporting of vitailles, S. Vitailles 8.

13 For the transporting of white ashes, S. White ashes 1.

14 For the transporting of Worstedes, S. Worstedes 4. 5.

15 For the transporting of worsted yarne, spun in England, S. Yarne 3.

16 For the transporting of thrummes, or woollen yarne vnder the colour of thrummes, S. Yarne 3.

17 For the transporting of hornes, S. Hornes 2.

18 For

Transporting
of things out
of the realme.
Corne.
Artillarie.
Cloth.

Brasse.

Sheepe.

Leather.

Golde & Silver.

Horses.

Shooes.

Skins.

Fish.

Vitaille.

White ashes.

Worstedes.

Worsted yarne.

Thrummes.

Hornes.

18 For the transporting of Spicerie, S. Merchants 1.

19 For the transporting of Iesuits, Priests, &c. S. Iesuits 8.

FOr the bringing of cloth into this realme, made in another realme. S. Draperie 104.

2 For the bringing of Corne into this realme. S. Corne 9.

3 That no vagabonds or beggers shalbe brought out of Ireland or the Isle of Man, into England or Wales. S. Poore people 14.

4 That no vagabonds calling themselves Egyptians, shalbe brought into this realme. S. Egyptians 1.

5 That certeine foreine wares readie wrought shall not be brought into this realme. S. Merchant 3.

6 That Irish money shall not be brought into this realme. S. Money 5.

7 That no person shall buy or take by exchange, any wares brought into this realme, wrought out of the realme, made of tinne or mixt with tinne. S. Pewter 7.

8 That no person shall bring wrought silke into this realme. S. Silke 1.

9 That no false or counterfeit money shalbe brought into this realme. S. Treason 1, 3.

10 That he which bringeth in Hauks, must bring a certificate testifying the same. S. Hauks 3.

11 That they which bring in certeine other merchandizes, shall bring in Bowstaues. S. Bowes 1, 2.

12 For the bringing in of salted fish, or salted herrings into this realme, who may do it, and who not. S. Fish. 17, 21, 22.

¶ Trauerse.

Where one person or moze is or shall be found heire to the Queenes tenane, by office or inquisition, where any other person is or shalbe heire: Or if one person or moze is or shall be found heire by office in one countie, and another is or shall be found heire to the same person in another countie: Or if any person is or shall be vntreuely found lunatique, idiot, or dead: Euery person or persons griued by any such office or inquisition, shall and may haue his or their trauerse to the same immediately, or after at his or their pleasure, and procede to triall therein, and haue like remedie and aduantage, as in other cases of trauerse vpon vntreue offices founde. 2. Ed. 6. 8.

2. **¶** Where it is, or shalbe vntreuely found by office or inquisition, that any person attainted, or that shalbe attainted of treason, felonie, or Præmunire, is or shall be seised of any lands, tenements, or hereditaments at the time of such offence committed, or of any time after, whereunto any other person or persons shall haue any iust title or interest of any estate of freehold: Then euery person griued thereby, shall haue his trauerse or Monstrance de droit to the same, without being driven to any petition of right. And like remedie and restitution vpon his title founde or iudged

Spicerie.

Iesuits.

Bringing of things into the realme.

Cloth.

Corne.

Vagabonds.

Egyptian.

Foreign wares.

Irish money.

Time.

Wrought silke.

False money.

Hauks.

Substances.

Trauerse to an office found after the death of the tenant.

Trauerse to an office founde vpon attainer of felony &c.

Traverse
where the
to intrude to
a tenure where
none is.

Upon a tra-
uerse a Scire
facias shall be
awarded as
against the
Queenes pa-
tentes.

Writs of search
vpo a trauerse.

The Q. for-
mer right res-
serued.

Compassing
Queens death.

for him therein, as hath bene used in other cases of trauesse, although the Queene shalbe in such case intituled to any such lands by double matter of Record. 2. Ed. 6. 8.

3. ¶ Where it shall be found by office, or inquisition, that any lands &c. shall be descended, retained, or come to any heire within age, and in the Queenes ward, or that ought to be in the Queenes ward, & that such lands are holden of the Queene immediately, where in deed the same are holden of some other common person, and not of the Queene immediately: In such case such heire or heires shall and may haue his or their trauesse to the same within age, and like remedie and restitution vpon his or their title found or iudged for him or them therein, as hath bene used in other cases of trauesse. 2. Ed. 6. 8.

4. ¶ In all such cases as any person shall be enabled by this act to haue any trauesse, and shall pursue his trauesse: Then he that shall pursue such trauesse, shall sue one writte, or seuerall writtes of (Scire facias) as the case shall require, against all and singular such person and persons as shall haue interest by the Queene, or by her patentee or patentees, in like maner and forme as is requisite vpon trauesse, or petitions heeretofore pursued, and in euery such Scire facias, the patentees or other defendants shall haue like ples and aduantage, as they had in any Scire facias before this time awar- ded against any patentee in any case of petition. And also vpon euery tra- uerse that shall be pursued by vertue of this act, in such case as the partie that shall pursue such trauesse, should by order of the Common lawes haue bin put to sue by petition to the Queene. There shall be two writtes of search granted in maner and forme, as like writtes haue bene granted vpon peti- tions made to the Queene. 2. Ed. 6. 8.

5. ¶ Where four writs of search shall be granted, S. Aid of the Queene. ¶ After any iudgement shall be giuen vpon any trauesse that shall be tendered by vertue of this act, it shall appeare by any matter of Record, that the Queene hath any former title, right, or interest to the lands &c. mentio- ned in the same trauesse, Then the same title shall be saued to her, the said trauesse, and iudgement therevpon giuen notwithstanding. 2. Ed. 6. 8.

¶ Where he that is indicted or appealed of treason shall be received to trauesse the same. S. Treason.

6. Trauesse to an office whereby lands shall be found to be fraudulently conveyed by any of the Queenes accountants. S. Accountants &c. 3. 8.

7. Where lands shall be letten to ferme to him that tendereth a trauesse. S. Patentes &c.

8. For the trial of a trauesse certified of a Riot. S. Riots.

9. Treason. ¶ It is high treason to compass or imagine the death of the King, the Queene his wife, or of their eldest sonne and heire, or to deslower the Kings wife, the Kings eldest daughter being unmarried, or the Kings eldest sonne

sonne and heires wiffe, to leuie warre against the King, Queene, &c. in her realme, or to be adherent to her enemies, aiding them in her realme, or els where: Or to counterfeite the Queenes great seale, her priuie seale, or her money: Or to bring false money into this realme, counterfeite like vnto the money of England, knowing the money to be false, and to make merchandize or payment therewith: Or to slea the Queenes Chancellor, Treasurer, Justice of the one bench or other, Justice in eyre, Justice of assise, or any other Justice assigned to heare and determine, being in his place, doing his office, which foresaid treasons doe extend to the Queene, and her royall Heire, and the Queene shall haue the forfeiture of the escheat of them, as well of landes and tenements holden of others, as of her selfe.

25. Ed. 3. 2.

Tempting war
and aiding of
the enemies
enemies.
Counterfeiting the great
or priuie seale.
Bringing in
of counterfeite
money.
Killing a iudge
sitting in his
place.

2. ¶ If any person doe falsely forge or counterfeite the Queenes signe mannel, priuie signet, or priuie seale, or doe falsely forge and counterfeite any coine of golde or silver which is not the proper coine of this realme, and is or shalbe currant within this realme, by the consent of the Queene, her heires or successors, it is high treason, and the offenders therein, their counsellors, aiders, procurers, and abettors, being conuict according to the law, shalbe adjudged traitors. 1. Ed. 6.

Forging the
signe mannel,
priuie signet,
or seale.

Forging the
money of other
realmes cur-
rant in this.

3. ¶ Whosoever doth bring into this realme, or any the dominions thereof, from any parts beyond the sea, any false and counterfeite coine or money like to the coine of other realmes, being by the Queenes permission currant in payement within this realme, knowing the same to be false and counterfeite, to the intent to better or make payement therewith within this realme &c. by merchandizing or otherwise, he, his counsellors, procurers, aiders, and abettors, do commit high treason. 1. and 2. P. and Ed. 1. 1.

Bringing in
of counterfeite
money.

4. ¶ If any person or persons shall falsly forge or counterfeite any kinde of golde or silver, as it is not the proper coine of this realme nor permitted to be currant in this realme, it is misprision of high treason, and the offenders therein, their procurers, aiders, and abettors, being conuict &c. shalbe imprisoned, and forfeit such lands, goods and cattels, as in cases of misprision of treason, for concealment of high treason. 1. 4. El. 7.

Forging of
money, which
neither is the
money nor cur-
rant within
this realme.

5. ¶ The clipping, washing, rounding, or filing for gaines sake of any money or coine, which now is, or hereafter shalbe the coine of this realme, or the dominions thereof, or of any other realme &c. allowed and suffered to be currant within this realme, by the Queene, her heires, or successors, is treason. And the offenders, their counsellors, consenters, and aiders, shall be adjudged as offenders in treason. But the attainder in this treason maketh no corruption of blood in the heire, or forfeiture of power in the wife. 5. El. 1. 1.

Clipping, wash-
ing, round-
ing, or filing
of money.

6. ¶ If any person for wicked lucre sake, do by any act, waies, or means whosoever, impair, diminish, falsifie, skale, or lighten the proper money or coines of this realme, or any the dominions thereof, or the moneys &c.

Diminishing
skaling, or
lightning of
money.

Treason:

of any other realmes allowed at the time of the offence committed to be current within England, or any dominions thereof, by the proclamation of the Queene, her heires or successors, he, his counsellors, aiders and consenters shall be adjudged offenders in treason. But the attainder for his offence, maketh no corruption of blood, nor the wife to lose her dower. 18. El. 1.

Petit treason. 7 ¶ It is petit treason, when a servant killeth his master, a woman killeth her husband, or when a secular or religious man killeth his prelate, to whom he oweth obedience. And this manner of treason doth giue the forfeit of the escheats to every lord of his owne proper fee. 25. Ed. 3. 2.

Misprision of treason. 8 ¶ Concealment or keeping secret of any high treason, shall be deemed and taken onely misprision of treason, and the offenders therein shall forfeit and suffer as in case of misprision of treason hath heretofore bene used. 5. Ed. 6. 11. 1. and 2. H. 8. 1. El. 6. S. Prisons 8. that it is misprision of treason to conspire to set at libertie any person committed to prison by the Queenes commandement, for any treason or suspicion thereof, touching her owne person, before the same person be indicted thereof. 14. El. 2.

Trial of treason and murders, by special commission. 9 ¶ If any person being examined before the Queenes council, or three of them upon any treasons, misprisions of treasons, or murders, doe confesse any such offences, or that the said council, or three of them, upon such examination, shall thinke any person so examined to be vehemently suspected of any such offences: Then the Queenes commission of oyer and terminer vnder the great seale shall be made to such persons, and into such shires or places, as shall be appointed by her highnesse for the speedie trial, contriuction, or deliuerance of such offenders, which commissioners shall haue authority to enquire, heare and determine all such treasons, misprisions of treasons, and murders, within the shire and places limited by their commission, by such good and lawfull persons, as shall be returned before them by the shirife, his minister, or other, hauing power to returne writs and proces for that purpose, in whatsoeuer other shire or place within the Queenes dominions or without, such offences were committed. 33. H. 8. 23. What challenges the offender in this case shall haue. S. Challenge 8. S. Dyer 286. that for treason this statute is repealed by 1. & 2. P. & M.

Trial of treasons committed out of the realme. 10 ¶ All offences being made or declared, to be made &c. Treasons, misprisions of treasons, or concealments of treasons, and done or committed by any person out of this realme of England, shall be enquired of, heard and determined before the Iustices of the Kings bench, by good and lawfull men of the same shire where the said bench shall sit and be kept, or els before such commissioners, and in such shire of the realme, as shall be assigned by the Queenes commission, and by good and lawfull men of the same shire, in like maner to all intents, as if such offences had bene committed within the same shire where they shall be so enquired of, heard, and determined. 26. H. 8. 13. 35. H. 8. 2. 5. Ed. 6. 11. S. Dyer 298, that the statute of 35. H. 8, remaineth in force not repealed,

11 **C** All processe of outlawrie to be made within this realme, against any offenders in treason, being resiant out of this realme, or beyond the sea, at the time of the outlawrie pronounced against them shalbe as good and effectuall in the law to all intents, as if any such offenders had bene resiant within this realme at the time of such processe awarded, and outlawrie pronounced. But if the partie so outlawed shall within one yere next after the said outlawrie pronounced, or iudgement giuen thereupon, yeeld himselfe vnto the chiefe Justice of England for the time being, and offer to traaverse the saide indictment or appeale whereupon the saide outlawrie shall be pronounced, then he shall be received to the said traaverse, and being thereupon found not guiltye by the verdict of twelue men, he shalbe clerely discharged of the said outlawrie, and of all penalties and forfeitures by reason of the same, in as ample maner as though no such outlawrie had bene made. 26. H. 8. c. 13. 5. Ed. 6. c. 11.

Outlawrie of an offender being out of the realme.

12 **C** All such treasons and misprisions of treasons which any person shall committe within the principalltie of Wales, and marches of the same, or els where within any the Queenes dominions, where her originall writs in the Chancerie of England runne not, shall be presented and tried by the oath of xii. men, which shall inhabit within any such shires, and before such commissioners, as the Queene from time to time in such cases shall assigne by her commission or commissions of Oyer and Terminer, in like maner, as if such offences had bene committed within the said Wires into the which the said commissions shall be directed. And all presentments, trials, processe, iudgements, executions, and forfeitures made, had, or done by vertue of such commissions, shalbe good and effectuall in the law to all purposes, &c. 32. H. 8. c. 4.

Trial of treasons committed where the Queenes writ runneth not.

13 **C** All trials to be had, awarded, or made for any treason shall be had and vled, onely according to the due order and course of the Common lawes of this Realme, and not other wise 1. and 2. H. and H. 10. Quare if this doe take away, or diminish the force of any of the other branches, vz. 9. 10. 11. 12.

Trial of treason.

Quare.

14 **C** If any person or persons shall be attainted of high treason by the course of the Common lawes or statutes of this realme, in euery such case, euery such attaynder by the Common law shalbe of as good strength, value, force, & effect, as if it had bene done by authority of parliament. And the heires and successors, shal haue as much aduantage by such attaynder, as well of vles, rigthes, entries, conditions and possessions, reuerfions, remainders, and all other things, as if it had bene done and declared by authority of parliament, and shalbe deemed & adiudged in actuall and reall possession of the lands, tenements, hereditaments, vles, goods, cattels, and all other things of the offenders so attainted, which her highnes ought lawfully to haue, & which they so being attainted ought or might lawfully lose and forfeit if the attaynder had bin done by authority of parl. without any office

Attaynder of treason by the Common law of as great strength as by parliament.

Treason.

of inquisition to be found of the same, any law, statute &c. notwithstanding. Saving to all and every person and persons, and bodies politike, and their heires, assignes, and successors, and every of them, (other then such person and persons, which shall be attainted of high treason, and their heires and assignes, and every of them, and all and every other person and persons, claiming by them or any of them, or to their bles, or to the bles of any of them, after the said treasons committed) all such right, title, use, possession, entrie, reuerfions, remainders, interests, conditions, fees, offices, rents, annuities, commons, leases, and all other commodities, profits, and hereditaments whatsoever they or any of them, should, might, or ought to haue had, if this act had neuer bene made. An. 33. H. 8. 20.

*No record of
attainder of
treason reuer-
sed where the
partie attains-
ted is executed
for the same.*

*Where the re-
cord is reuer-
sed, or there-
upon a writ
of error des-
pending.*

15 **¶** No record of attainder that now is, of any person or persons, of or for any high treason, where the partie so attainted is or hath bene executed for the same treason, shall by the heire or heires of any such person, or by any other whatsoever claiming in, from, by or vnder any such heire or heires, be in any wise hereafter reuerfed, vndone, avoided, or impeached by any plea, or for any error whatsoever. But this act shall not extend to any record of attainder of, or for any treason, vpon which any writ of error is now depending, or which record is already reuerfed, repealed, or vndone, by or for any error, matter, plea, or cause whatsoever, but the same shall be and remaine as vnto and against that partie, at whose sute the same writ of error is depending, or at whose pursure the same record hath bene reuerfed, repealed, or vndone, and his and her heires and assignes onely, as if this act had neuer bene had or made, any thing in this act &c. 28. Eliz. 2.

1 Treason for the second refusall of the oath for the Queenes supreme government ouer all estates. S. Queene 8.

2 Treason in compassing to depose or destroy the Queene, or to leuie war &c. or in affirming that she ought not to enioy the crowne, but some other. S. Queene 13. 14. 17. 19.

3 Treason in affirming that the Queene is an heretike, schismaticke, tyrant, infidell, or vsurper. S. Queene 17. 24.

4 Treason in mainteining that the Common lawes or statute lawes do not limit or binde the right of the crowne. S. Queene 10.

5 Treason in mainteining or extolling the authoritie of the bishop or see of Rome. S. Rome 1.

6 Treason in obteining any bull or instrument from Rome, or in giuing or taking ab'solution thereby. S. Rome 2. Praemunire 5.

7 Treason in conspiring to set any person at liberty, committed to prison by the Queenes commandement, for treason or suspicion thereof touching her person. S. Prison 8.

8 For the forfeitures in high treason. S. Forfeiture 2.

9 That peremptorie challenge is not allowable in cases of high treason and misprison. S. Challenge 10. 11.

10. Treason in withholding any of the Queenes castles, destroying of her ships, or harring any of her hauens. S. Castles 2.

11. Misprision of high treason in concealing of a Bull or other instrument from Rome, or absolution offered. S. Rome 4.

12. Treason for perswading, or reconciling, or being reconciled to the Romish religion. S. Rome 7. 8.

13. Treason for a Iesuit or Priest &c. to come into or remaine in any of the Queenes dominions. S. Iesuits 1.

14. Treason by remaining in a Seminarie, and not returning after proclamation, and taking the oath. S. Iesuits 4.

Triall.

Where any person shall be feloniously stricken or poisoned in one countie, and die of the same stroke or poisoning in any other countie, then an indictment thereof found by Jurors of the countie where the death shall happen: (whether it be found before the Coroner, vpon the sight of such dead bodie, or before the Justices of peace or other Justices or commissioners which shall haue authoritie to enquire of such offences) shall be as good in law as if the stroke or poisoning had bene committed in the same countie where the partie shall die, or where such indictment shall be so found. And the Justices of Gaole deliuerie, and Oyer and Terminer in the same countie where such indictment shall be taken, and also the Justices of the Kings bench after such indictment shall be remooued before them, shall and may proceed vpon the same in all poines, as they should or ought to do in case such felonious stroke or poisoning, and death thereof ensuing, had growen in all one same countie. And such partie to whom appeale of murder shall be giuen by the law, may commence, take, and sue appeale of murder in the same countie where the partie so feloniously stricken, or poisoned, shall die, as well against the principall and principals, as against euerie accessarie to the same offences, in whatsoeuer countie or place the accessarie shall be guiltie to the same. And the Justices before whom any such appeale shall be commenced, sued, and taken, within the yere and day after such murder and manslaughter committed, shall proceede against euerie such accessarie in the same countie where such appeale shall be so taken, in like maner and forme, as if the same offence of accessarie had bene committed in the same countie where such appeale shall be so taken, as well concerning the triall by the Jurors of the countie where such appeale shall be taken, vpon the ples of not guiltie pleaded by such offender, as otherwise.

An. 2. Ed. 6. 24.

15. Where any murder or felonie shall be committed in one countie, and another person or more shall be accessarie to the same in any other countie, then an indictment found or taken against such accessarie and accessaries vpon the circumstance of such matter (before the Justices of the peace, or other Justices, or commissioners, or enquire of felonies in the countie

Triall where the striking or poisoning is within one countie, and death in another.

Appeale of murder in the countie where the death is made.

Appeale against the accessarie.

Triall of an accessarie in one countie to an offence done in another.

where such offences of accessarie shall be committed) shall be as good in the law, as if the said principall offence had bene committed within the same countie, where the same indictment against such accessarie shall be found. And the Justices of Gaole deliuerie, or Oyer & Terminer, or two of them, of or in such countie, where the offence of any such accessarie shall be committed or done, (upon sute to them made) shall write to the Custos Rotulorum, or keepers of the Records, where such principall shall be attained or convicted, to certifie them whether such principall be attained or convicted, or otherwise discharged of such principall felonie, who upon such writing shall make sufficient certificat in writing vnder their seale or seales to the said Justices, whether such principall be attained, convicted or otherwise discharged, or not. And after that they doe certifie that such principall is attained, convicted, or otherwise discharged of such offence, then the said Justices &c. shall proceede vpon every such accessarie, in the countie where he became accessarie, in such maner and forme, as if both the said principall offence and accessarie had bene committed in the said countie where the offence of accessarie was committed, and every such accessarie and other offenders aboue expressed, shall answer vpon their arreignments, and receive such triall, iudgement, order, and execution, and suffer such forfeitures as is used in other cases of felonie. An. 2. Ed. 6. 4.

Triall of for-
eign ples.

3 ¶ All foreign ples triable by the countrey, pleaded by any person arreigned vpon any indictment, for any petit treason, felonie, or murder, shall be forthwith tried by the same Justices before whom such person shall be arreigned, and by the same Iuroys of the same countie, that shall trie the petit treason, murder, or felonie, whereof he shall be so arreigned, without any further respect, or delay, in what soeuer countie or place of this Realme the matter of the same ples be supposed or alleged. 22. H. 8. 14. 32. H. 8. 3. And if any person arreigned for murder or felonie, plead that he was taken out of a privileged place in a foreign countie, and that he denied, the same shall be tried before the same Justices, and by the same Iurie that shall trie the murder or felonie 4. H. 8. 1. 22. H. 8. 2.

Taken out of
sanctuarie.

Triall of mur-
ders &c. done
within the
palace.

4 ¶ All treasons, misprisions of treasons, murders, manslaughterers, bloodsheds, and other malicious strikinges, by reason whereof blood shall be shed against the Queenes peace, which shall be done within any the palaces or houses of the Queene, or her heires, or within any other house or houses, at such time as her Maiestie shall be then abiding in her royall person, shall be inquired of, tried, heard, and determined within any the Queens houses, or other house where her Maiestie shall be abiding, before the lord Steward of the Queenes household, and in his absence before the Treasurer and Controller of the Queenes household, and Steward of the Marshalsey for the time being, or two of them, whereof the Steward of the Marshalsey to be one, by vertue of their offices, without any commission or other authoritie to them given. And whether the Queene shall be removed

from

from the house where such offences shalbe done or not, before they be inquired of, heard, and determined, yet such offences shall be inquired of, tried, heard, and determined before the Queenes officers of household, before named, or two of them, by the inquisition and verdict of her household servants in her Checke rolle, at such palace or house where her Maestie shall be at any time abiding. 33. H. 8. 12. For the limits of the Queenes Palace, S. Fighting 1.

¶ The two Clerks, Controllers, Clerks of the Checke, and Clerks Marshals, for the time being, of the Queenes household, or one of them, upon a precept to them, or any of them made, by the lord Steward, or in his absence by the said Treasurer & Controller of the Queenes household, and the said Steward of the Marshalsey, or by two of them, whereof the said Steward of the Marshalsey to be one, haue power to summon, warne, and returne the names of foure and twentie persons being Peoman officers of the Queenes household in the said Checke rolle, to enquire of such treasons, mispyssions of treasons, murders, manslaughteres, and other malicious striking, by reason whereof blood shall be shed against the Queenes peace, before the said lord Steward, or Treasurer, Controller and Steward of the Marshalsey, or before two of them &c. And it shall be lawfull to them before to whom such returns shall be made, to cause such number of the said foure and twentie persons so returned, aboute the number of twelue persons, as to him or them shall seeme expedient, to enquire of such treasons, mispyssions of treasons, murders, manslaughteres, and other malicious striking, by reason whereof blood shall be shed against the Queenes peace within the said palaces, or other the said houses at any time committed &c. 33. H. 8. 12.

¶ And if any person or persons be indicted by the said Jurie, or by inquisition before the Coroner of the said household, and certified before the said lord Steward &c. or Treasurer, Controller, and Steward of the Marshalsey, or two of them, whereof the said Steward of the Marshalsey to be one, then immediately the said lord Steward or Treasurer, Controller, and Steward of the Marshalsey, or two of them &c. before whom the said preceptment, inquisition, or indictment shall be so found, or certified by the said Coroner, shall arraigne before them every such person so indicted, according to the course of the Common law, and forthwith after due toynd betweene the Queene and the prisoner so arraigned, the same day and place or any other shall make an arched precept to the said Clerks, Controller, Clerks of the Checke, and Clerks Marshals of the said household, or to one of them, to summon and returne one Jurie of xxiiij. persons, to appeare before the said lord Steward or Treasurer, Controller, and Steward of the Marshalsey, or two of them at such day, time, and place, and upon such paine as shall be then limited, of the Sergeants and gentlemen officers, of the Queenes chamber, and of the said household, which shall

Enquire of bloodsheds by the peoman officers.

To be taken up to the court.

To be taken up to the court.

Arraignement of an offender indicted.

take images by the Queenes Checkes rolle. And the said lord Steward or
gc. Treasurer, Controller, and Steward of the said Marshalsey, or two
of them &c. before whom such Jurie shall be so returned, shall cause the
of the same Jurie to be sworn, truly to trie betweene the Quene and
such person as shall be so indicted and arraigned of such treasons, mispi-
sions of treasons, murders, manslaughterers, and other malicious strikinges,
by reason whereof blood shall be shed against the Queenes peace, or any of
them. 33. H. 8. 12. what challenge bee which is in this sort arraigned shall
have. S. Challenge 9.

The punishment
of parricide
attainted.

7. **C** If such person so indicted and arraigned, be found guilty of any
treason, mispicion of treason, murders, or manslaughterers, then hee shall
have iudgement of life and member, and suffer such paines of death, and
shall forfeit &c. in like maner as if hee had bene found guilty of any of the
said offences by the order of the Common lawes. 33. H. 8. 12. How he shall
be punished which striketh maliciously within the Queenes palace, where-
by blood shall be shed. S. Fighting 11.

The order of
the trial of
Ladies.

8. **L**adies of great estate, viz. Duchesses, Countesses, or Baronesses,
which shall be indicted of any treason or felony by them done, whether they
be married or sole, shall be brought to their answers, and put to answer, and
iudged before such Judges & peeres of the realme, as peeres of the realme
should be, if they were indicted or impeached of such treasons or felonies
committed, and in like maner and forme and none other wise. 20. H. 6. 9.

Trial of a deed
where the
wife runneth
not.

9. **I**f a release or other deed be pleaded in barre in assise, or other plect
of land, or in any action grounded upon a contract, covenant, or trespass being
dated within any franchise where the Quenes writt runneth not, it shall be
tried in the countie where the action is brought, and if witness be in the
deed, proccesse shall be made in the same countie, and if the witness doe not
come at the ground distresse returned, the Justices shall take the enquest, as
well as if the deed had borne date in the same countie where the sute was
moued, and that the witnesses had bene of the same countie. 50. Ed. 3. 4.

The trial of a
deed where the
wife runneth
not.

1. For the trial of treasons, mispicion of treasons, and murders, by spe-
ciall commission. S. Treasons 9. Piracie 11.

2. For the trial of treasons committed out of the Realme. See Treas-
on 10.

3. For the trial of treasons committed in Wales, and where the
writ runneth not. S. Treason 12.

4. The trials of treasons shall be according to the charters of the Com-
mon lawes. S. Treason 13.

5. Who shall be admitted to passe in trial of felonies and treasons in
corporat townes. S. Jurors 15.

6. Where trials shall be De medietate lingua, and where not. S. Jurors
19. 20. Attaine 21.

7. For the trial of him which is benefitted in Record. S. Felonie 18.

Attachments
in p. p. p.

Wines.

which shall be
made within this
county and shire

Who shall be
accounted vagabonds.

which shall be
made within this
county and shire

which shall be
made within this
county and shire

which shall be
made within this
county and shire

which shall be
made within this
county and shire

allise, according to the price of Coine) committed within the limits of their iurifdictions. 3 2. p. 8. 4 1. S. Inholders. 2.

And also they may there inquire of attachements made by the officers of the courtes of the East Marches, or West Marches, out of any of the Countie of Westmerland, Comberland, or Northumberland, or the towne of Newcastle upon Tyne, and therein proceede, as they may upon presentments taken before them in their turnes of trespasses, or affrayes made against the Quernes peace. 3 1. p. 6. 3. S. Marches. 1.

And also they may there inquire by the othes of xii. lawfull men, of all offences committed contrary to the statute provided. 7. Ed. 6. To avoid the prices and excesses of Wines, and every presentment taken by the othes of xii. men, shall be of such force, as if the same were taken in the kings Bench. 7. Ed. 6. 3.

1 What Jurors shall bee returned in a Shirifes turne. See Jurours. 1. 4.

2 That an Indictor in the Shirifes turne, which is sued in a spirituall Court shall have a Prohibition. 8. Prohibition. 7.

3 At what time Shirifes in Wales shall keepe their Turnes, who shall have the fines, issues and armerciaments there forfeited, and who shall assest them. S. Wales. 43.

Vagabonds.

And every such person and persons that he, or her, themselves to bee Proctors or procuratours going in any Countrey within this Realme, without sufficient authoritie derived from the Querne, and all other idle persons going about in any Countrey of the saide Realme using craftie and unlafulfull games, and some of them faining themselves to have knowledge in Philosophie, Dialmeerie, or other abuses, Sciences, whereby they beate the people in hand they can tell their destinies, deaches, and fortunes, and such other like fantasticall imaginacions. And all and every person and persons, being whole, and mighty in body, and able to labour, having not land, or master, nor using any lawfull marchandize, craft, or manerie, whereby he or she might get his or her living, and can give no reckoning, how he or she doeth lawfully get his or her living. And all Fencers, Bearewards, common players in Enterludes, and Minstrels, not belonging to any Baron of this Realme, or to wards any other honourable personage of greater degree, all Juglers, Pedlers, Tinkers, and petty Chapmen: which saide Fencers, Bearewards, common players in Enterludes, Minstrels, Juglers, Pedlers, Tinkers, and petty Chapmen, shall wander abroade, and have not licence of two Iustices of peace at the least, whereof one to be of the Quorum, where and in what shire they shall happen to wander: And all common labourers, being persons able in body using labouring, are refusing to worke for such reasonable wages as be set and commonly given in such partes where such persons shall dwell. And all counterfactors

counterfeits of licences, pashports, and all others of the same, knowing the same to be counterfeit. And all Schollers of the Universities of Oxford or Cambridge, that goe about begging, not being authorized under the Seale of the said Universities, by the Commissarie, Chancelor, or Vicechancelor of the same. And all Shipmen pretending losses by Sea, other then such as shalbe hereafter provided for. And all persons deliuered out of gaules that begges for their fees, or doe travel to their Countreies or friends, not having licence from iustices of the peace of the same Countie where hee or shee was deliuered, shalbe adiudged Roges, Vagabonds, and sturdie beggers, intended by this act, together with all and euery such other persons, as for altering and breaking of such good orders, as in the acte established for the reliefe of the aged and impotent poore people are declared to be vagabonds. 14. El. 5. 3 1. El. 10. Si Poore people. 4. 2. 16.

¶ Every person above the age of fifti. yeeres, being set forth by this act to be a roge, vagabond, or sturdie begger, and which shall be at any time taken begging in any part of this Realme, or taken vagrant, wandring, and misordering himselfe, contrary to the purport of this act, in any part of the same, shall upon his apprehension be brought before one of the Iustices of the peace, or Mayor, or chiefe officer of Cities, Boroughes, or Townes corporate, within the Countie, Citie, Borough, and towne corporate, where the apprehension shalbe, and by the said Iustice, or head Officer, presently committed to the common gaole of the said Countie (being apprehended within the Countie) or els such other place, as by the Iustices of peace of that Countie or three of them at any their generall Sessions shall be appointed. And if hee be taken within any Citie, Borough, or Towne corporate, then to bee committed to the prison of the said Citie, Towne &c. there to remaine without hable or mainprise, untill the next Sessions of the peace, or generall Gaole deliuerie for the said Shire, Citie, Towne &c. to be holden, which shall first happen. 14. Eliz. 5. 3 1. Eliz. 10. Iustices of peace 77.

¶ Every such roge apprehended, shall be conveyed by the Constable or other Officers of the Parish where such apprehension shalbe, but to the Constable, Tithingman, or other officer of the next township, or Parish in the next hundred, and so from one hundred to another; by the Constables, Tithingmen, or officers of euery such Township or parish, which shall be next in euery such hundred, the direct way until they shall come to the gaole or prison appointed for such Roges, and euery such officer shall accordingly convey such Roges under the paine of forfeiture of vi. s. viii. d. 14. Eliz. 5. 18. Eliz. 3. 3 1. El. 10.

¶ At the next Sessions of gaole deliuerie, if such person so committed to prison be duely convicted of his or her rogish trade of life, either by enquest of office, or by the testimonie of two honest and credible witnesses by or to their othes, then immediately he or she shall be adiudged to be whipped,

if Vagabond
shalbe upon
his apprehen-
sion committed
to the gaole.

By whom a
Roge shalbe
conveyed to
the gaole.

The first pun-
ishment of a
vagabond.

whipp. d,

whipped, and burnt through the grille of the right eare with a hote yron, of the compass of an ynch about, manifesting his or her rogish kinde of life, and punishment receiued for the same, whereof entrie shall bee made of Record by the Clarke of the Peace of the same shire in the Records of the same Sessions, which iudgement shall also presently bee executed, excepte some honest person valued at the subsidy next before that time to xli. in goods, or x. s. in lands, or els some honest householdier, as by the Iustices of the peace of the same Countie, or two of them shall be allowed, will of his charitie be contented presently to take such offendour before the same Iustices into his seruice for one whole yeere next following, and to that ende will presently before the saide Iustices enter into bande by recognisance to the vse of the Quene, to pay to our saide soueraigne Lady the summe of v. li. if hee keepe not the saide offendour in his seruice, by the space of the saide whole yeere, and so lying him or her vnto the Sessions at the yeeres ende, or then good pprooff of his or her death during the said yeere, the said Clarke of the peace taking for the saide recognisance but xii. d. onely. And if such vagabond so taken into seruice, depart within the said yeere, from the saide seruice, against the will of him that so taketh him or her into seruice: Then the saide vagabond shalbe whipped & burnt through the grille of the right eare with a hote yron, as is aforesaid. 14. Cl. 5. 31. Cl. 10.

anodapn
noqil salari
anodapn
rit. d. a Recogni
sance.

Discharge of
imprisonment
by surtie.

5. ¶ But if the said person so committed come before the next Sessions or the next gaole deliuerie to be holden for the saide Countie, or before their committing, and doe kinde any such surtie as is next before recited, to bee bounde in fourme aforesaid for him or her, for one whole yeere, then hee shall not carie in the gaole till the next Sessions or gaole deliuerie. 14. Cl. 5. 31. Cl. 10.

The second
punishment
of a vagabond.

6. ¶ The saide person so marked, or adiudged to be burnt, shall not bee dealt withall againe by way of punishment by the space of xl. daies next after the said punishment executed, or adiudged to be burnt, if hee or she haue licence for the said xl. daies, from two Iustices of the peace of the same shire, testifying the punishment receiued, or iudgement giuen. But if after the said punishment executed or iudgement giuen, the saide person doe after xl. daies next after hee or shee shall so be marked, either in the same Countie, where he or she was marked, or hauing receiued such iudgment, or is in any other Countie within England or Wales bring of the age of xviii. yeres or above, doe eschones fall againe to any kinde of rogish trade of life, then the said roge from thenceforth shalbe taken and adiudged in all respects as a felon, and shall in all degrees suffer and so fall as a felon, excepte some honest person valued at the last Subsidy next before that time to x. li. in goods, or x. s. in lands, or els some such honest householdier, as by the Iustices of peace of the same County, or ii. of them shalbe allowed, of meere charitie will be contented before such Iustices, as the said vagabond shalbe arraigned of felony, to take him or her into his seruice for ii. whole yeeres then next

a note of
of the
of the

aut
of the
of the

next following, and then before the same Justices will presently put in band by recognisance of 7. li. to be leuied of his landes, tenements, goods, and cattels, to the vse of our said soueraigne Lady, if he keepe not the said offendour in his seruice for two whole yeeres, and bring him or her vnto the Sessions at the said ii. yeeres end, or good prooue of his or her death. And if such vagabond so taken into seruice depart within the same ii. yeeres, from his or her said seruice against the will of him that so tooke him or her into seruice, then such vagabond shall be taken and adiudged as a Felon in all respects, and shall suffer and forsaite as a felon without allowance of Clergie or Sanctuarie. 14. El. 5. 31. El. 10.

7 ¶ If any such person inquirable of, as of a Roge in the second degree, shall after his first conuiction, either by curing, or alteration of the marke, or by alteration of name, or denying to bee the same person, or by any other meanes goe about to auoyd the hauing of his further punishment, the same or any such other allegation shall be considered of, and tried by the Jury upon the arraignment as parcell of their euidence, and as they shall in their consciences finde the proofes, circumstances, and euidences, so to giue their verdict, which shall be a sufficient triall in law, without any further certificate or triall of the former recorde or conuiction, from any other Countie or place, or by any other meane. 18. El. 3. 31. El. 10.

The triall of any matter alledged by a roge to auoyde his punishment.

8 ¶ If the Roge in the second degree indicted, and by confession, or verdict afterwards conuicted, shall afterwarde a thirde or fourth, or other time after be indicted and conuicted of Rogish life, then hee shall suffer in all respects as a Felon, without allowance of Clergie: But this act shall not extend to make any person or persons accessarie to the said felonies made by this statute, nor any attainer by any the felonies aforesaide, shall be any corruption of blood in the issues, or line of the person attainted. 14. El. 5. 18. El. 3. 31. El. 10.

A roge in the third or fourth degree.

No accessary nor corruption of blood.

9 ¶ This act shall not extend to the punishment of any such persons, as by this statute are limited for Roges, vntill the same bee of the age of xiiii. yeeres or aboue, but euery of them vnder that age shall be punished with whipping or stocking, as heretofore hath bene vsed and appointed by the lawes and statutes in that case prouided, and in all other respects repealed. 14. El. 5. 31. El. 10.

Roges vnder xiiii. yeeres of age.

10 ¶ If within any Towne or Parish where any such vagabond shall begge or make his abode, contrary to the forme of this statute, the Constable or Tithingmen be negligent, and doe not his or their best indouour for the apprehension of such vagabond, or shall willingly suffer the said vagabond to escape from the punishment in this statute prescribed: Then the said Constable or Tithingmen, in whome such default shall be, shall forsaite for euery such vagabond and vagrant person that shall be suffered to begge, or make abode within his authoritie vi. s. viii. d. But shipmen and soldiers, hauing licence of the next two Justices of peace, to the place where they

Forsaiture for not apprehending of vagabonds.

Shipmen and soldiers.

they

they first entred into this Realme, may passe according to the purport of their licence, and intent of this act. 14. El. 5. 31. El. 10.

Relieving of
Kings.

11 **C** If any person giue any harborough, money, or lodging or any other reliefe to any vagabond, either marked, or not marked, not hauing such a licence as is before recited from ii. Iustices of the peace (then in continuance) & that duly proued before y^e Iustices of the peace at their quarter sessions, he shall make such fine to the Queene, as by the saide Iustices, or the more part of them at their generall Sessions shall be assessed, so as the same exceede not xx. shillings. But all gouernors of Hospitals may harbour any aged or impotent person of charitie, or giue money in almes (as they are bound to doe by their foundation) to such impotent or aged person, 14. El. 5. 31. El. 10.

Resisting the
execution of
this statute

12 **C** If any person doe disturbe the execution of this act, or make rescues against any Maior, Shirisfe, bayliffe, or other person that shall endeavour himselfe about the due execution hereof, he shall forfait v. li. and be imprisoned at the Quenes pleasure. 14. El. 5. 31. El. 10.

No licence
that extend but
in the Countie
where the
grauntor is
Iustice.

13 **C** No licence recited in this Statute shall giue any libertie, or be of any force, but onely in the shire whereof the grauntor or grauntors of such licence shall be Iustice or Iustices of peace, wherefore if the saide partie licensed will haue any further passage without the danger of this lawe then the shire where his first licence is graunted, he must procure in euery other shire where he intendeth to passe, one other licence from two Iustices of the peace of the saide shire, and so from shire to shire to the ende of his iourney. 14. El. 5. 31. El. 10.

Haruest folke.

14 **C** This acte shall not extende to any Cockers, or Haruest folkes that trauell into any Countrey of this Realme for haruest worke, either Coyne or Hay haruest, if they doe worke accordingly, neither yet to any that happeneth to be robbed or spoyled by the way, neither yet to any Seruingmen, that bee of honest behauiour, that be turned from their masters, or whose master or mystrisse shall bee dead, for the space of sixe moneths next after such turning away or death, so as euery such Seruingman hath a testimoniall from his master or mystrisse, or from two Iustices of the peace of the same Countie, declaring such turning away, or such death &c. 14. El. 5. 31. El. 10.

Persons robbed by the
way.
Seruingmen.

Licences vnder
the great
seale.

15 **C** It shall be lawfull to the Lord Chancellor, or Loyde Keeper of the great Seale, to make licence vnder the great seale, as heretofore hath bene accustomed, and the said licences shall as largely extend, as the contents of them will beare. 14. El. 5. 31. El. 10.

Passports or
licences by
gouernors of
townes and
Captaines.

16 **C** This act shall not extende to make voyde any safecondite, passport, or licence, graunted by the Lord Deputie of Ireland, by the Lord Gouernour of Berwicke, or Carlisle, or any other chiefe Captaine or Gouernour of any Castell or fortresse of the Quenes, or by any other in their absence, hauing the charge of the said Townes and Garrisons, or by any the
Quar-

Guardians of the iii. Marches towards Scotland, or by any general Lieutenant, or other chiefe officer appointed by the Queene to haue the charge and conduction of any armie, garrison, or power of men, leuied by her appointment, and for her speciall seruice, or by any priuate Captaine, vpon the disperſing of any armie, onely to any Souldier, or any other person whatſoeuer within England and Ireland, paſſing by vertue thereof about his lawfull buſineſſe, but hee or they ſhall quietly enioye the benefite thereof in as ample maner as heretofore hath bene vſed. 14. Cl. 5. 18. Cl. 3. 31. Cl. 10. to continue till the ende of the next parliament now next enſuing.

1. What act done by any ſeruant ſhall procure him to be puniſhed as a vagabond. S. Labourers. 8.

2. What acte done by any poore or impotent perſon ſhall cauſe him to bee accompted, vſed or puniſhed as a vagabonde. S. Poore people. 4. 8. 9. 16.

3. That a vagabond after his ſecond conuiction ſhall not haue his clergie. S. Cleargie 3.

Viewe.

Viewe ſhall not be graunted, but in caſe where the viewe is neceſſarie: As if one looſe land by default, and he that looſeth, bringeth a Witte to demaund the ſame land: And in caſe where one by an exception dilatorie, abateth a Witte after the viewe, as by non tenure, or miſnaming of the Towne, or ſuch like, if hee purchaſe another Witte, in this caſe and in the caſe before mentioned, the viewe ſhall not be graunted, if he had viewe in the firſt Wittes. In a Witte of dower, where the demaunde is of lande that the huſbande aliened to the tenant or his Aunceſſors, where the tenaunt ought not to be ignorant what land the huſband did alien to him or his Aunceſſor, though the huſband died not ſeyſed, yet viewe ſhall not bee graunted. In a Witte of entrie alſo that is abated becauſe the demaundant miſnamed the entrie, if hee purchaſe another Witte of Entrie, if the tenant had viewe in the firſt Witte, he ſhall not haue it in the ſecond. In all Wittes alſo where landes be demaunded by reaſon of a Demyſe made by the Demaundant or his Aunceſſour vnto the tenant, and not to his Aunceſſour as that hee demyſed to him being within age, not whole of minde, being in priſon, and ſuch like, viewe ſhall not bee graunted: But if the demyſe were made to his Aunceſſor, the viewe ſhall lye as it hath done before. 2. 2. 13. Ed. 1. 48.

In what caſes
viewe is grante-
table, and in
what not.

Villanage & Villaines.

Villanage may be pleaded, and a villaine may bee ſeyſed by his Lorde, though the villaine haue a Witte of Libertate probanda hanging. 25. Edw. 3. 18, vpon their Lordes request ſpeciall Commiſſions ſhall bee graunted to the Juſtices of peace, or other ſufficient perſons to enquire of Villaines which doe uſe themſelues rebellioſly, & will not be iuſtified by their Lordes, And alſo of their coſecelloys & maintainoys, which comiſſioners ſhall

Commiſſions
to enquire of
miſdeemeanors
of villaines.

Vitailles. Vitailers.

shall haue power, to heare and determine the same, and to imprison the offenders. 1. R. 2. 6.

*Billaines in-
g their loyds.*

2 **E** Though any mans villaine do flye into any Citie, Towne, or place infranchised, and doe saue any suite against his Loyde to the intent by that meanes to become free, yet the Loyde shall not be barred of his villaine, because of his answer in lawe. 9. R. 2. 2.

*Consuance of
villenage.*

3 **N**o wyte shalbe abated by an exception of cognisance of villenage, if the demaundant wil auerre that he which alledged the exception was free the day of the wyte purchased. 37. Ed. 3. 17.

Vitailles. Vitailers.

*Vitailles
brought to
London.*

Every man that bringeth vitailles whatsoeuer they bee, to the Citie of London, by land or by water, may freely sell the same to whom it shall please him, without being interrupted or impeached by any Fisher, Butcher, Vulturer, or any other whatsoeuer. And the Mayor and Aldermen of the said citie may rule and redresse the defaultes of Fishers, Butchers, and Vulturers, as they doe of those which sell bread, ale, or wine. 31. Ed. 3. 10. 7. R. 2. 11.

*Whens bring-
ing in vitaille
may sel them
in grosse, or by
retaille.*

2 **A**ll Forreins and Aliens being in friendship with the Queene and the Realme, and coming within the Citie of London and other Cities, Boroughs, and Townes within the Realme, aswell within liberties, as without, with fish and all other vitailles, and there carying and returning againe to their owne Countries, shall be vnder the Queenes safegarde, and speciall protection. And it shall be lawfull to them and euery of them to cut their fish, and vitailles in pieces and in part, by retaille, or in grosse, as it shall seeme best vnto them to sell the same, and make their profite thereof without the hinderance or contradiction of any man. 6. Ric. 2. 10. 1. Hen. 4. 17. And if any man disturbe any Forreine or Alien to sell their fish in grosse, or by retaille, in part, or in the whole, contrary to the foresaid ordinance, and is thereof attainted at the Queene, or the parties suite, hee shall forfeite xl. li. And he that will sue for the Queene or for himselfe shall haue the one halfe, and the Queene the other. And hee that will sue for the Queene or himselfe, for any offence committed within the Citie of London contrary to the foresaid Statute, may sue in what Countie hee will of the Counties of Middlesex, Warwiche, Essex, Kent, Surrey, or in the Citie of London. 14. Hen. 6. 6.

*The prices of
vitailles assign-
ed by the Jus-
tices of peace.*

3 **V**itailers shall haue reasonable gaine, and no more, according to the limitation & discretion of the Iustices of peace, vpon paine to be grievously punished after the discretion of the same Iustices where no paine is limited in certaine. 13. R. 2. 8.

*Vitailles shalbe
sold at reason-
able prices.*

4 **B**utchers, Fishmongers, Hostlers, Brewers, Bakers, Vulturers, and all other sellers of all maner of vitaille, shall bee bound to sell the same vitaille for a reasonable price, hauing respect to the price that such vitaille is to be

solde at in the places adioyning, so that the same sellers haue a moderate game, and not excessive, reasonably to be required, according to the distance of the place from whence the saide vitailles be caried, and if any sell such vitailles in any other maner, and thereof be conuict, he shall pay the double of the same that he so receiued to the partie damnified, or in default of him, to any other that will pursue in his behalfe. And the Maiors, and Bailifes of Cities, Boroughs, Marchant townes, and of the Portes of the Sea, and other places, haue power to enquire of all and singular which shall in any thing offende the same, and to leuie the sayde payne to the vse of them at whose suite such offendours shalbe conuict. And in case the same Maiors and Bailifes be negligent in doing execution of the premisses, and thereof be conuict before the Queenes Iustices, then the same Maiors and bailifes shalbe compelled by the same Iustices to pay the treble of the thing so solde, to the partie damnified, or to any other in default of him that will pursue. And also shalbe grieuouly punished by the Q. 23. Ed. 3. 6. And no person other then such Maiors, Bailifes, or Gouvernours, before rehearsed, hauing franchises, and surueying of vitailles, and correction of the same, or other intituled by point of charter, shal by colour of any letters patents vse any office of surueying, or correcting of vitailers within any Cities, Boroughs, or other places, vpon paine of forfaiture for euery default to the Queene and Informer xl. pound, to be recovered by A. of debt, wherein no W. E. P. c. 12. Ed. 4. 8.

Surueyors & correctors of vitailers.

5 Upon euery complaint made of any enhansing of prices of Cheese, Butter, Capons, Hennes, Chickins, and other vitailles necessary for mens sustenance, without cause reasonable in anie part of the Queenes dominions, the Lord Chauncelloz, the Lord Treasourer, the Lord President of the Queenes counsell, the Lord Priuie seale, the Lord Stewarde, the Lord Chamberlein, and all other Lords of the Queens Counsell, the Treasourer, and Comptroller of the Queenes house, the Chauncelloz of the Duchy of Lancaster, the Queenes Iustices of either Bench, the Chauncellour, Chamberleines, vnder Treasourer, and the Barons of the Queenes Elchequer, or seuen of them at the least, whereof the Lord Chancellour, the Lord Treasourer, the Lord President of the Queenes Counsell, or the Lord Priuie seale, to be one: haue power from time to time, as the case shall require, to set and take reasonable prices of all such kindes of vitailles aboue specified, howe they shall bee solde in grosse, or by retaille, for reliefe of the Queenes subiects, and after such prices set and taxed in forme aforesaid, proclamation shalbe made in the Queenes name, vnder the great seale, of the said prices in such part of this Realme, as shalbe conuenient for the same. 25. H. 8. 2.

The prices of vitailles assessed by the M. Councelloz & Officers.

6 All sermons, owners, broggers, and al other vitailers keeping any of the kinds of vitailles afoze rehearsed to the intent to sel, shall sell the same to such the Queenes subiects, as will buy them, at such prices as shall be

They which haue vitailles to sell, must sell them at the price taxed.

Vitailles and Vitailers.

set by the said Proclamation, upon the paines to be limited in the said Proclamation to be forfeited, and leuied to the Queenes vse, in such wise as by the same Proclamation shalbe declared. 25. H. 8. 2.

Head officers
of corporate
Townes may
set prices of vi-
tailes.

7 ¶ This act shal not be hurtful to Maiors, Bailifes, or other Officers of Cities, Boroughs, and Townes corporate, nor to any persons, or bodies politicke hauing authoritie to set prices of such vitailles or of any of them, but they and euery of them may set prices thereof, as if this Act had neuer bene made. 25. H. 8. 2.

No vitailles
shalbe trans-
ported without
licence.

8 ¶ No person or persons (vntlesse it be by licence vnder the Queenes great Seale) shal carie or conuey, or cause to bee caried or conueyed, any Cozne, Beecues, Buttons, beales, porkes, butter, capons, hennes, chickens, or other vitailles necessary for mens sustenance, to any the parts beyond the Sea (except onely for vitailing of Pastors, Mariners, and marchants of ships passing the Seas, and also except barrellled butter, & meale to bee caried to the parties of Ireland, as hath bene accustomed) vpon paine of forfaiting of the value of the thing caried contrary to this act, to the Q. & J. &c. to be recouered by A. J. &c. wherein no W. C. P. &c. 25. H. 8. 2. For the transporting of cozne. S. Corne. 1. 2. 6. 7.

How the pri-
ces of vitailles
shalbe assessed
when a vitail-
ler is chiefe of-
ficer.

9 ¶ No Officer in a Citie or Borough, which by reason of his office ought to keepe the Assise of wines and vitailles, so long as he shalbe in office shal sell wine or vitailles in grosse, or by retails, vpon paine to forfait the thing sold to the Queene, whereof the third part shalbe deliuered to him that sueth the offendor. 1. 2. Ed. 2. 6. But whensoever any vitailer is chosen to beare any office within any City, Borough, or Town corporate, which for the time that he shalbe in such office shoulde haue the assessing and correction, for selling of vitailles, then two discrete and honest persons of the same Citie, Borough, &c. neither of them being a vitailer, shalbe chosen by the communitie of the same citie, Borough &c. in like forme as the said officer shalbe chosen, which two persons with the said officer shalbe sworn truly to selle and set the prices & assises of vitaille there for the time that any such vitailer shal abide in the said office. And then it shalbe lawfull to euery of the saide Officers after the same vitailles bee set and assessed by the same Officer and the said two persons or one of them (the other being absent) to marchant and sel wines and all other vitailles in grosse and at retails during the time he shall be in any such office, without any thing therfore to forfait, the foresaid Statute of 1. 2. Ed. 2. or any other Stat. notwithstanding. An. 3. H. 8. 8.

London.
Poyke.
Cowntreie.

10 ¶ But this act shal not extend to discharge any minister of the cities of London, Poyke, and Cowntreie, nor none of them for any wine or vitaille, to be sold by any retails within any of the said Cities. 3. H. 8. 8.

1 A remedy against conspiracies made by vitailers for selling their vitaille. S. Artificers 1. 2. Corporations 7.

2 That no vitailer shall bee a taker for the Queenes carriage. S. Purveyors 12.

3 When

3 When and in what cases corne and other vitaille may bee transported, and when not. S. Corne.

4 That it is felonie to conuey away vitails provided for the vitailing of Souldiers. S. Armour 12.

Vniuersities.

That no Gouvernour of any Colledge in either of the Vniuersities shall make any Lease of their Lands, but shall reserue thereupon the third part of their olde rent in Corne. S. Leases. 4.

2 In what cases the Queenes Purueyours be restrained to take vitailles within fiue miles of either of the Vniuersities, and in what not. S. Purueyours. 32. 33. 34.

3 That the Chancellor, Vicechancellor, & Commissary of the Vniuersities, with two Iustices of peace may enquire of the default of Purueyours, S. Iustice of peace, 60.

Vpholsters.

No person shall make, to the intent to sel, or offer to be solde, any featherbed, bolster, or pillow, except y^e same be stuffed with dyp pulled feathers, or cleane downe onely, without mingling of scalded feathers, sen downe, thistle downe, sand, lyme, grauel, vnlawfull or corrupt stuffe, haire, or any other, vpon paine of forfeiture of all such feather beds, bolster, and pillowes, and euery of them so offered to be sold, or the value thereof to the D. & J. to be rec. by A. J. &c. wherein no M. C. P. &c. 11. H. 7. 19. 5. Ed. 6. 23.

What stuffe
shalbe put in
featherbeds,
bolsters, pil-
lowes.

2 No person shall make, to the intent to sell, or offer, or put to sale, any Quilt, Matresse, or Cushions, which shalbe stuffed with any other stuffe, then feathers, wool, or flocks alone, vpon paine of forfeiture of all and euery such quilts, matresses, or cushions so solde or offered to be sold, or the value thereof to the D. & J. &c. to be recovered by A. J. &c. wherein no M. C. P. &c. 11. H. 7. 19. 5. Ed. 6. 23.

What stuffe
shalbe put in
quilts, matres-
ses, cushions.

Vses.

Where any person or persons be or shalbe seised of, and in any lands, tenements, rents, seruices, reuerfions, remainders, or other hereditaments, to the vse, confidence, or trust of any other person or persons, or of any body politike by reason of any bargain, sale, scoffement, fine, recovery, covenant, contract, agreement, will, or otherwise by any means whatsoever. In euery such case, euery such person and body politike, that haue or shall haue any such vse, confidence, or trust, in fee simple, fee taile, for terme of life, of peeres, or otherwise, or any vse, confidence, or trust in remainder, or reuerter, shall stande and be adiudged in lawfull seison, estate, and possession, of, and in the same landes &c. and hereditaments with their appurtenances, to all intents, of and in such like estates, as they had or shall haue in vse, trust, or confidence, of, or in the same. And the estate, title, right, & possession that was in them that were, or shalbe seised of any landes, tenements, or hereditaments, to the vse, confidence, or trust of any other,

The estate in
possession con-
ueyed to him
that hath the
vse.

shalbe adiudged to be in him, or them, that haue, or shall haue such vse &c. after such maner and condition, as they had before, in or to the vse &c. that was in them. 27. H. 8. 10.

Assurance
made to his
heirs to the vse
of one of them

3 ¶ Where diuers persons bee, or shall be ioynely seised of and in any lands, tenements, rents, reuerfions, remainders, or other hereditaments, to the vse, confidence, or trust of any of them, that be so ioynely seised, then bee or they, which haue, or shal haue any such vse &c. shall haue onely to him or them such estate, possession and seison of and in the same lands or other hereditaments in like maner, condition and course, as he or they had before in the vse of the same lands &c. 27. H. 8. 10.

Sauing of o
ther mens
right.

3 ¶ Sauing to all and singuler persons, & bodies politike, their heires and successors, (other then those which be or shalbe seised of any lands &c. to any vse,) all such right, title, entre, interest, possession, rents, and action, as they, or any of them had, or might haue had before the making of this act, And also sauing to all persons and to their heires, which be, or shalbe seised to any vse, all such former rights, titles, interest, possession, rents, customes, seruices, and actions, as any of them might haue had to his owne vse, in or to any landes, tenementes, rents, or hereditaments whereof they bee or shall bee seised to any other vse, as if this Act had neuer bene made. 27. Hen. 8. 10.

Land assured
to the vse that
rent should be
payed out of
the same.

4 ¶ Where diuers persons be seised of, and in any lands, tenements, or hereditaments in fee simple, or other wise, to the vse or intent, that some other shall haue yeerely to him and to his heires one annuall rent out of the same landes &c. and some other one other annuall rent to him and his assignes for terme of life, peeres, or for some other speciall time, according to such vse as hath bene heretofore declared: in euery such case the same persons, their heires and assignes that haue such vse, and interest, to haue such rent out of such lands &c. shall be adiudged to bee in possession of the same rent, of and in such like estate as they had in the title, interest, or vse of the saide rent, or profice, and as if a sufficient grant, or lawfull conuenance, had bene made and executed to them by such as were or shalbe seised to the vse of any such rent, and all such persons as haue or shall haue any title, vse, and interest, in or to any such rent or profic, shal lawfully distraine for non payment of the same rent, and in their owne names make auowries, or by their bailifes or seruants make cognisances and iustificacions, and haue all other suites, entries, and remedies for the rents, as if the same rents, had bene actually and really granted to them with sufficient clauses of distress, reentrie, or other wise, according to such conditions, paines, or other things appoynted vpon the trust for payment, or suretie of such rent. 27. H. 8. 10. V. D. Fol. 362.

Vsurie.

Selling of
wares & buy
ing the againe.

NO person shall by himselfe, factor, attorney, seruant, or deputie, sell his merchandizes or wares to any person or persons, and within three moneths.

Vsurie
in Sum 1583. Ca. 5.

moneths next after by himselfe, or by any other to his use buy the same marchandizes or wares or any parcell thereof, upon a lesser price, knowing them to be the same, that he before did so bargain or sel, upon the paines and forfeitures hereafter limited in this statute. 37. H. 8. 9.

2. ¶ No person by way of any corrupt bargain, lene, exchange, cheuisance, gift, interest of any wares, marchandize, or other things whatsoever, or by any other corrupt or deceitfull way or meane, or by any coin, Tynge, or deceitful way of conueyance, shall haue, receiue, or take lucre or gains, for the forbearing or giuing day of payment of one whole yeere, of, and for his money or other thing that shalbe due for the same wares, marchandizes, or other things aboue x. li. in the C. and so after the rate and not aboue, of, and for a moze or lesse summe, or for longer or shorter time, and no moze greater gain or summe thereupon to be had: upon the paines hereafter limited &c. 37. H. 8. 9.

3. ¶ If any person doe bargain and sel, or lay to mortgage by any way, any manors, lands, tenements, or hereditaments, to any other upon condition of payment, or non payment of any summe of money to be made at any day certaine, or before any such day, by him that shal so bargain, sel, or lay to mortgage the same lands, &c. the same person to whom any such landes, &c. shalbe so bargained, sold, or laid to mortgage, shal not by reason thereof, haue ne take in lucre, or gaines of the issues, reuenues, and profitcs of the same lands &c. aboue x. li. in the C. for one whole yeere, and so after the rate aboue said, for a moze or lesse summe, for a longer or shorter time, and no moze, or other wise, upon the paines hereafter limited. 37. H. 8. 9.

4. ¶ If any person shal do any act or thing contrary to the tenor, forme, and effect of this statute, or any clause, article, or sentence conteyned in the same, then euery offender therein, or in any part thereof, shall forfeite for euery such offence the treble value of the wares, marchandizes, and other thing or things so bargained, sold, exchanged or shifted, and the treble value of the issues and profitcs of the said lands, tenements, and hereditaments, so taken, had, or receiued by reason of any such bargain, sale or mortgage, to the Q. & I. to be recouered by A. I. &c. wherein no W. C. P. &c. And also shall suffer imprisonment of his body, and make fine and ransome at the Queenes pleasure. 37. H. 8. 9.

5. ¶ But this act shal not extend to any lawful obligation indoynted with a condition, nor to any statute or recognisance made for the payment of a lesse summe, so that the same be made for a true, iust and a perfect debt, or for the performance of any other true covenantes made betwene the parties, other then in cases of vsury, interest, corrupt bargaines, gift or cheuisance; ne yet shal extend to any recouerie, fine, feoffment, release, confirmation, or graunt made upon condition, with a true intent, other then to such as shalbe made upon condition extending to vsurie, interest, corrupt bargaines, gift, or cheuisance. 57. H. 8. 9.

As man shall take aboue x. li. for the forbearing of C. li. for one yeere.

None shall take aboue x. li. for p forbearing of C. li. for a yeere upon sale or mortgage of lands.

The for of the offenders in the premisses.

To these bonds and assurances the stat. extends not.

Wager of Lawe.

all assurances
whereby above
r. li. m. p. c. li.
shalbe reserved
are bope.

6 **A**ll bonds, contracts, & assurances collateral by other, to be made for payment of any principall, or money to be lent, or covenant to be performed, upon, or for any usury in lending, or doing of any thing against the said act of 37. H. 8. upon or by which lene, or doing, there shalbe reserved or taken above the rate of r. li. for the C. for one peere, shalbe utterly void, and the same statute of 37. H. 8. shalbe most largely and strongly construed for the repressing of usury and against all persons that shall offende against the true meaning of the said statute, by any way or devise directly, or indirectly. 13. EL. 8. 31. EL. 10.

Brokers, Solicitors, & dyuers of bargains,
licitors, & dyuers of bargains,
gaines.

7 **A**ll Brokers, Solicitors, and dyuers of bargains, for contracts, or other doings against the said stat. of 37. H. 8. whereupon shalbe reserved or taken more then after the rate of r. li. for the lone of C. li. for a peere, shalbe to all intents iudged, punished and used as counsellors, attornies, or advocates, in any case of Præmunire. An. 13. EL. 8. 31. EL. 10.

We that takeh
r. li. or lesse in
the C. shal for
septe the inter
est only.

8 **A**ll Usurie, loane, and forbearing of money, or giuing dayes for forbearing of money, by way of loane, cheuisance, wiftes, sale of wares, contract, or other doings whatsoever, for gaine, mentioned in the saide statute of 37. H. 8. whereupon is not reserved or taken or couenanted to bee reserved, payed, or giuen, to the lender, contractoz, wifter, forbearer, or deliuerer, above the summe of ten pound for the loane, or forbearing of a hundred pound for one peere, or after that rate for a more, or lesser summe or time, shalbe punished in forme following, by. Every such offender against this branch of this present statute shall forfeyte so much as shall be reserved by way of Usurie above the principall, for any money so to bee lent or forborne, all such forfeitures to be recovered and employed, as is limited for forfeitures by the said former statute of 37. H. 8. And every person offending in usurie, wiftes, or cheuisance against this act, and not taking but onely after the rate of r. li. in the C. or under for a peere, shall be onely punished by the paines and forfeitures provided by this act, against such as shal not take above the rate of r. li. in the C. for a peere, and not otherwise. 13. EL. 8. 31. EL. 10.

Punishment
by the ecclesiastical law.

9 **I**f any person shall offend contrary to the said stat. of 37. H. 8. then he shal, and may also be punished according to the ecclesiastical lawes heretofore made against usurie. 13. EL. 8.

Dyphans,

10 **T**his statute doeth not extend unto any allowances for the finding of Dyphans, according to the auncient custome of the Citie of London, or any other Citie, where like order is for the custodie of Dyphans and their goods, as is in the said Citie. 15. EL. 8. 31. EL. 10. to continue til the end of the next Parliament now next ensuing.

We that was
geth his lawe,
must dyng o
thers to swere
with him.

NO Bailife shall put any man to his open lawe, nor to his oath, upon his owne bare report, without faithfull witnesses brought in for the same. Mag. Chart. 9. H. 3. 28.

12. ¶ If any person be grieved or attached by his body in London by any of the same Citie, surmounting the defendant to bee his debtor, and that he will move by his papers, having neither deede nor taile, in this case the defendant shalbe reuired to his lawe, by people of his owne condition against such papers, and the creditor shall take suretie by some other way if he will, without putting the partie to pleade to an Enquest, if hee will not of his owne good will. 38. Ed. 3. 5. But by the custome of London, if the debtor set his hand to the creditors booke, he cannot wage his lawe. And the customes of the same Citie be confirmed by 14. Ed. 3. 1. and diuers other Statutes.

A man may wage his law against Londoners papers

13. ¶ In an action of debt brought upon the arrerages of accompt, the Iustices of the Queenes court and other Iustices before whom such suites and actions shalbe in cities and boroughs sued and taken, haue power to examine the Assurneys & other whom it please them, and thereupon to rescue the defendants to their law, or to try the matter by Enquest, according to the discretion of the same Iustices and Judges. 5. H. 4. 8.

Wager of law in debt upon the arrerages of accompt.

The Countrey or dominion of Wales shall stand, and continue for ever incorporated, united, and annexed to and with this realme of England, and all and singular person and persons borne and to bee borne in the said principallitie, countrey, or dominion of Wales, shal haue, enjoy, inherit all and singular freedoms, liberties, rights, priuiledges, and lawes, which in this realme, and other the Dominions, as other the Subjects naturally borne within the same, haue, enjoy, and inherit: and the lawes, ordinances, and Stat. of this realme of Englande for ever, and none other, shalbe had, used, practised, and executed in the said countrey or dominion of Wales and euery part thereof, in like maner, forme, and order, as they bee and shalbe in this realme, and in such like maner and forme as hereafter shal be further established and ordeyned. 27. H. 8. 26.

Wales annexed to England

English lawes bind in Wales.

2. ¶ The Dominion, principallitie, and countrey of Wales is deuided into xii. shires, of the which eight haue bene shires of long and ancient time, viz. Glamorgan, Carmarthen, Pembroke, Cardigan, Flint, Carnaruan, Anglesey, and Merioneth. And 4. were newly ordeined by the Stat. of 27. H. 8. 26. viz. Radnor, Brecknocke, Powisgomerie, and Denbigh, ouer and besides the shire of Monmouth, and diuers other dominions, Lordships, and manors in the Marches of Wales, united and annexed to the shires of Salop, Hereford, and Gloucester, and ouer and besides the towne of Hauerford west, which is a countrie in it selfe. And the limitations of hundreds made within the said shires, by vertue of the commissions of R. Henry the viii. directed out of his court of Chancerie, and againe returned into the same, shal stand in full strength and force, according to the said limitation, except such of the same, as sich that time hath bin altered by vertue of any act of Parliament. 26. H. 8. 26. 34. H. 8.

Wales deuised into shires and hundreds.

President and
Counsell.

3. There shalbe, and remaine a president and counsaile in the sayde
dominion and principallite of Wales and the Marches of the same, with
all officers, Clerks, and incowens to the same, in maner and forme as hath
bene heretofore used, which president and counsell shall have authoritie to
heare and determine by their discretions, such causes and matters as be or
hereafter shalbe assigned to them by the Q. & as heretofore hath bene used.

Sessions twice
in the yere.

4. There shalbe kept Sessions twice in every yere in every of the
sayd shires, in the said dominion and principallite of Wales, the
which Sessions shalbe called the Queenes great Sessions in Wales. The
Justice of Chester for the time being shall holde and keepe Sessions twice
in every yere in the Shires of Denbigh, Flint, and Pountgomery, and
have touching but his old fee of C. li. yearly for the same. The Justices of
North Wales shall in like wise holde and keepe Sessions twice every yere, in
every of the Shires of Carnaruan, Merioneth, and Anglesey, and shall have
of the Q. a yearly fee of fiftie pound for the same. And person learned in
the lawes of this Realme of England by the Q. to be appointed shalbe Ju-
stice of the Shires of Radnor, Brecknocke, and Glamorgan, and shall in
like wise holde and keepe Sessions twice in every yere, in every of the same
Shires, and shall have yearly of the Q. fiftie pound for his fee. And other
person learned in the lawes of this Realme to be appointed as to above-
saide, shalbe Justice of the Shire of Carmarthen, Pembroke, and Cardigan,
and of the Towne and Countie of Paeerford wen, and shall in likewise
holde and keepe Sessions twice in every yere, in every of the same Shires,
and shall also have yearly of the Queene fiftie pound for his fee. The sayd
persons of Justices, and every of them shall have severall letters patentes
and Commissions for their offices, under the Queenes great seale of Eng-
lande, to be executed by themselves, or their Justices Deputies, according
to the purpose and intentes in their Ordinances specified. Anno 34. Hen-
rici octavi.

Carnaruan.
Merioneth.
Anglesey.

Radnor.
Brecknocke.
Glamorgan.

Carmarthen.
Pembroke.
Cardigan.
Paeerford wen.

The Justices
commissions
under the
greate seale.

The Queene
may appoint
ii. Justices for
every circuit,
or graunt allo-
cation.

5. The Queene, her heyres and successors may & shall at her or their
pleasure constitute or appoint two or more learned of the lawes of
this Realme to be Justices, of and for the said Countie of Chester, Flint,
Denbigh, and Pountgomery, and two or more learned to be Justices
of North Wales, viz. of and for the said Shires of Anglesey, Carnaruan, and
Merioneth. And likewise two or more learned to be Justices of and
for the sayde Circuite and Shires of Radnor, Glamorgan and Breck-
nocke, and also two or more learned to be Justices of and for the same
Circuite and Shires of Cardigan, Carmarthen, and Pembroke, and
the Towne and Countie of Paeerford wen, any law, statute, &c. now then
standing. And her Heir, heire, and successors may and shall at
her and their pleasure from time to time associate and graunt Commis-
sion, and Commissions of association or associations under the great Seale
of

of England, to any person or persons learned, as aforesaid, to be associate to
or with every or any severall Justice or Justices for the time being, of the
sayd severall circuits and counties aforesayd, or in any of the sayd Coun-
ties. 18. El. 7.

6. Every of the sayd Justices within the limits of their Commissions
and authorities to them appoynted, as is aforesayd, shall hold all maner of
plees of the Crowne, at and in the sayd sessions in as large and ample ma-
ner, as the Queenes chiefe Justice of England, and other the Queenes
Justices of the Kings bench there, or any of them may doe in their places
or else where within the Realme of England. And also shall hold plees
of assises and all other plees, and actions reall, personall and mixt, in as
large & ample manner, as the Q. chiefe Justice of the common plees in Eng-
land, and other J. of the same plees, or any of them may do in the realme of
England. And every of the sayd Justices of Wales, shal have authority to
inquire of al treasons, murders, felonies, ryots, routs, unlawful assemblies,
extorcions, embaceries, maintenance, retainors, concealments, contempes,
and al other offences, and evil deedes, of what natures, names, or qualities
soever they be, done, committed, or perpetrated within the limits of their
commissions and authorities, against the forme of the common law of the
realme of England, or of any stat. of the same, and to heare and determine
the premisses and every of them, and generally to minister comon Justice,
to al and singular the Subjects within the limites of their commissions,
and authorities according to the lawes, statutes, & customes of the realme
of England, and according to this present ordinance of 34. H. 8. And all
and every such two Justices or more, to be appoynted by the Queene, her
heires and successors (according to the statute made. 18. El.) within every
of the sayd severall circuits and counties. And also every such Justice or
Justices together with such person or persons associate (if any such associ-
ation or associations shall happen to be as aforesayde) during such associati-
on, and after such association ended, or without such association, such Justice
or Justices shal have the like power & jurisdiction to al intents and effects,
as any one Justice within any of the sayde circuits or Shires aforesayde,
now hath, or at any time heretofore had or ought to have. And also shal have
like power and jurisdiction to heere and hold the severall Sessions aforesay-
de twice in every yeere, in every of the sayd Shires, within their severall
circuits aforesayd, and to heare, determine, order, award, adudge, receive,
take knowledge of, and execute, all and singular causes, matters, plees of
assises, treasons, murders, felonies, indictments, appeales of murder, felo-
ny and maymes, actions reals, personals, and mixt, suits, plaints, informac-
ions, quarrels, attayntes, conspiracies, Quare impedit, and all actions ground-
ed upon any stat. or statutes, writs, proces, returns, essoynes, verdictes,
iudgements, fines, acknowledgements, confessions, warrantes, and executions,
actions, and acts whatsoever, and to doe, perfourme, observe, accomplish
and

Of what
things Justis-
ces may hold
plee.

Wales.

and make all and euery other act and acts, matter and matters, thing and things whatsoeuer, in like, and in as ample, beneficial, lawful and effectual manner and forme, to all constructions, qualities, intents and purposes, as any of the now seuerall Iustices, or any one of the now Iustice or Iustices within the same seuerall circuit or circuits and counties aforesayd, may, ought, hath, or might lawfully do, by force of any law, vsage or stat. heretofore had, made or bled before the making of this act. And all and singular writs, proces, returnes, esloynes, verdicts, iudgements, fines, recoueries, recognisances, acknowledges, confessions, act and acts, thing & things, matter and matters, as aforesayd, had, made, taken, done, returned, heard, determined, awarded, adiudged or executed, by or before any such two Iustices or more, or any such Iustice or Iustices, and associat or associates as aforesayd, to be appoynted, nominated, authorized, or constituted as aforesayd, shalbe allowed, taken, construed, expounded, and adiudged, as good, effectual, and auailable to al intents, constructions, and purposes, as if the same had bin had, made, taken, done, returned, heard, determined, awarded, adiudged, or executed, by, or before any such one Iustice, or one of the Iustices now, or late being Iustice or Iustices of the same circuit or seuerall circuits aforesayd, any law, vsage, stat. or. notwithstanding. 18. El. 7.

Sessions kept
in dapes.

Proclamation
in dapes be-
fore the Sess-
ions.

Dapes in
court.

Issues tried in
petie Sessions

Issues, amer-
ciaments.

7 Every of the sayd Sessions shalbe kept and continued by the space of vi. dapes in euery of the sayd shires, at eyther of the sayd times, as is and hath bene vled within the sayd three shires of Northwales. And the sayde Iustices shal cause open proclamations to bee made in the shire towne, what time and place they purpose to keepe their sayde Sessions fiftene dapes at the least before they keepe the same, to the intent the Queenes subiects may haue knowledge thereof. 34. H. 8.

8 Dapes shalbe giuen in all piers, playnes, proces, and adiurnments from day to day, and Sessions to Sessions, by the discretion of the sayd Iustices within the limits of their authorities, for the good and speedy minist-ration of Justice, to al and singular the Queenes subiectes as is or hath bene vled in Northwales. And piers take before the said Iustices in piers personal, which cannot be tryed before them in time of their great Sessions, for breuitie of time, shall and may be tryed at a petie Sessions, before the Deputy Iustices there, as is and hath bene vled in the three shires of Northwales, (except such of the sayd suits as by the discretion of the sayd Iustices shalbe thought necessary, to be tryed before themselves, within their limits.) 34. H. 8.

9 The Queene shal haue al fines, issues, amerciaments, and all forfeitures of recognisances lost, or forfeited, before any of the sayde Iustices in the sessions aforesayd. And the Pronotaries within the limits of their offices, shal verely exte at the same into y^e Eschequer appointed for their limie, to the intent that proces from thence may be awarded to the sherifs to leuy the same to the Use, as apperteineth, which sherifs shal verely make their accompts

accountes before the Q. Auditors thereunto assigned. 34. H. 8.

10 **C** One originall Seale deuised by the Queene for Justice to bee ministred in the sayd three Shires of Northwales, viz. the Shires of Merioneth, Carnaruan, and Anglesey, shal be and remaine in the charge and custodie of the Chamberlaine of Northwales. And one other original seale &c. for the sayd Shires of Carmarthen, Penbroke, and Cardigan, shal bee and remayne in the charge and keeping of the Chamberlayne of Southwales. And likewise one other originall Seale &c. for the sayd three shires of Brecknock, Radnor, and Glamoigan, shal be and remayne in the charge and custodie of the Steward and Chamberlayne of Brecknocke. And also one other original Seale &c. for the sayd shires of Denbigh and Hounsomery, shalbe and remaine in the charge and custodie of the Steward and Chamberlayne of Denbigh. And the originall seale of Chester, shalbe and stand for the originall seale of Flint, for Justice to be ministred in the sayde shire of Flint, and shalbe and remaine in the charge, keeping, and custodie of the Chamberlaine of Chester. 34. H. 8.

11 **T**he sayd Stewards and Chamberlaines, shal seale with the sayd Seales, that is to say euery one of them shal seale with the seale to his charge committed, all maner of originall writs and processe returnable before the sayd Justices, at the Sessions to bee holden in euery of the sayde shires, in maner and forme as is aforesayd. And shall leuerally accompt and answer the Q. for the profits of the same seale. And none of the sayde Stewards, Chamberlains, or Chancelors, hauing the charge and keeping of the sayd seales, shal by occasion thereof, or by coloz of any of their offices, compel, or cause any person inhabited within any of the sayd xii. shires, to appeare before themselves, or their deputies. He shal haue power to heare or determine any ples of the crowne, nor other causes or matters of Justice, otherwise then in this ordinance is limited. But shal haue the charge and keeping of the sayd seales, to seale al original writs and processe, as shalbe returnable before the sayd Justices in their sayd sessions, as is afoze specified, and as hereafter shalbe declared, which writs and processe shal be used, made, sealed, and returned in maner and forme, as hath begne used before the Justices in Northwales. 34. H. 8.

12 **A**ll such persons as be or shalbe the Queenes Stewards, Chamberlaines, or Chauncelors, within any of the sayd xii. Shires, which by reason of their sayd offices, haue charge for the receipt, collection, or accompt, of, and for the Queenes rents, reuenues, farmes, or profits, to be due to her Maestie within the sayde Dominion of Wales, may direct processe vnder the sayd Seale being in their charge and custodie, within the limites of their authorities, only against bayliffes, recues, farmers, and other ministers accomptant to appeare before themselves, to answer to and for any the Queenes reuenues, farmes, rents, or profits, and for none other causes, nor against any other person or persons in like maner, as they haue bene accu.

accustomed in that case to doe. 34. H. 8.

iii. Judiciall
seales.

13 Besides the sayd originall seales, there shall bee iii. Judiciall seales, deuised by the Q. whereof one shal remaine with the Iustice of Chester, which is appoynted to be Iustice of Flint, Denbigh, and Pountgomery, to be vsed within the sayd shires, to seale al Judiciall proces, and bills that shal be sued before the sayde Iustices in the Sessions to bee holden within the same shires. And one other of the sayd iudicial seales shall likewise remaine and be in the charge and custodie of the sayde Iustice of Northwales. And the third of the sayd seales shall be and remaine in the custodie and charge of the Iustice of the iii. shires of Glamorgan, Brecknock, and Radnor. And the iii. of the sayd seales, shal remaine in the charge and custodie of the Iustice of the sayd thre shires of Penbroke, Carmarthen, & Cardigan. And the sayd Iustices shall seale with the sayde iudiciall seales, v. every of them with the seale committed to his charge and custodie, as wel al bills, as al other Judiciall proces, that shalbe sued before them in the sayd Sessions, vpon any originall bills or writs. And all other proces that shalbe awarded from any of the sayd Iustices, shalbe sealed with the sayd Judiciall seale. 34. H. 8.

What shalbe
sealed with the
Judiciall seales

Iustices acc
compt for the
profites of the
seales.

14 Every of the sayd Iustices shal accompt and answere to the Q. for the profites of the sayd seale being in his charge and custodie, in maner and forme as hereafter shalbe declared. 34. H. 8.

Teste of Iudic
iall proces.

15 The Teste of every bil and iudiciall proces, that shal passe under the sayd Judiciall seale, shalbe under the name of such of the sayd Iustices, from whom such bil or Judiciall proces shal passe, in like maner and forme, as is vsed in the common plects in England. 34. H. 8.

Writs sealed
with the origi
nall seale.

16 Al actions real and mixt, attainres, conspiracies, assises, and Quare impedit, appeales of murder, and felony, and al actions grounded vpon any statutes, shal be sued by originall writs, to bee obteyned and sealed with the sayd originall seale, returnable before the sayd Iustices at their sessions, within the limites of their authorities, in maner and forme, as is before mentioned. 34. H. 8.

Personall ac
tions of rl. s.
or above.

17 Al maner of personal actions, as debt, detinue, trespass, accompt, and such like, amounting to the summe of xl. s. or above, shalbe sued by writs originall, to be obteyned and sealed, as is aforesayd, or by bills at the pleasure of the party suing the same before the sayde Iustices within the limites of their authorities, as is vled in Northwales. 34. H. 8.

Personal acti
ons under xl. s.

18 Al personal actions, under y^e summes of xl. s. v. debt, trespass, detinue, accompt & such like, shal & may be sued before any of the said Iustices in the said sessions by bill, as is vled in Northwales, (But there shal no suit be taken before any of the sayd Iustices, by bill under xx. s.) And every originall bil concerning actions personals, shalbe sealed with the Queenes iudiciall seale, being in the custodie of the said Iustice before whom such personal actions by bill shalbe brought and commenced. 34. H. 8.

No suit before
Iustices vnder
xx. s.

19 ¶ Such fees shall bee payed for the writting and sealing of such original writs and bills, as hereafter shalbe expessed, viz. for the sealing of euery original writ to be sued in and vpon the causes aforesayd, and for euery bill to bee pursued in actions personalles, whereof the debt and damages amounteth to the summe of xl.s. or aboue, the parties pursuing the same, shal pay for the seale of euery such writ or bill, vi. d. & for euery iudicial proces to be sued vpon any such writ or bill, the parties pursuing such iudicial proces, shal pay for the sealing thereof vi. d. whereof the Queene shal haue vi. d. And the Justice sealing such iudiciall proces shal haue i. d. And euery bill in personall actions whereof the debt, duty, or damage amounteth not to xl.s. and al maner iudiciall proces to be sued vpon the same, shal also be sealed with the Queenes said iudiciall seale, and the parties pursuing the same, shal pay for the seale of euery such bil, & iudiciall proces thereupon to be sued iii. d. whereof the Queene shal haue ii. d. and the Justice sealing such proces, shal haue i. d. An. 34. H. 8.

Fees for writ-
ting & sealing
of original
writs & bills.

20 ¶ All writs of Scire facias, and writs of good abearing, or for the peace, or writs of Superedeas vpon the same, and all other proces to bee sued from the sayd Justices, vpon any record or suggestion admitted by any of the sayd Justices within the limits of their authorites, shal also be sealed with the sayd Iudiciall seale, and the parties pursued for the same, shal pay for the seale of euery such writte and processe seven pence, whereof the Queene shal haue sixe pence, and the Justice by whome such processe shal be sealed one peny. And euery exemplification vpon any recorde before any of the sayd Justices shalbe sealed with the Queenes iudiciall seale, and the parties pursuing the same, shal pay for the seale thereof twenty pence, whereof the Queene shal haue sixteene pence, and the Justices sealing the same four pence. 34. H. 8.

Proces sealed
with the iudi-
cial seale, & the
fees.

Exemplifica-
tion.

21 ¶ Recoveries, and fines, concordies, and warrants of attorney for the same, shal and may be taken before euery of the sayd Justices of lands, tenements, and hereditamentes within his authoriy, by force of his generall commission, without any writ of Dedimus potestatem to be sued for the same, in like maner and forme, as is vsed to bee taken before the Queenes chiefe Justice of her common place in England. And al fines leuied before any of the said Justices, with Proclamation made the same sessions that the sayd fine shalbe ingrossed, and two other great sessions then next to be holden within the same Countrey, shalbe of the same force and strength to all purposes, as fines leuied with Proclamation be of, that be leuied before the Justices of the common place in England. 34. H. 8.

Recoveries,
Fines.

22 ¶ Euery person suing writs of Entry in the Poss, or writs of Covenant, or any other writs for any recovery to be had by assent of parties or otherwile, or for any fine to be leuied, shal pay such fines to the Queenes vse for the same, as well fines pro licentia concordandi, as all other maner of fines, as is vsed in the Queenes Chauncery, or else where in any of the Queenes

Fines for
writs of en-
try, and cove-
nant.

Queenes Courtes of England: which fines shal be payed to such persons as shal seale the original writs for that purpose, and they shal accompt for the same, in like forme, as they shal do for the profits of the sayd original seale, as is aforesayd. 34. H. 8.

Queenes silver.

23 ¶ The Queenes silver vpon euery fine to be leuyed shal be payd as is vsed in the common place of England, viz. ii. s. which Queenes silver shal be payd to the Justice before whome such fine shal be leuyed, whereof the Queene shal haue xx. pence and the Protonotary entring the same, shal haue ii. d. and the Justice before whom such fine shal be leuyed, other ii. d. And the same Justice shal accompt for the Queenes part thereof, like as he shal for the profits of the Queenes iudicial seale committed to his charge in maner and forme, as is aforesayd. 34. H. 8.

Errour.

24 ¶ Al errors and Judgements before any of the sayd Justices at any time of the great sessions, in plees reals, or mixt, shal be redressed by writ of Errour to be sued out of the Queenes Chancery of England, returnable before the Queenes Justices of her bench in England, as other writtes of Errour be in England. And al errors in plees personals shal be reformed by bills, to be sued before the sayd President and Counsel of Wales from time to time, as the P. greued wil sue for the same, and if in case the iudgement be affirmed good in any of the sayd writs of Errour, or bills, then there to make execution, and all other woces thereupon, as is vsed in the kings bench in England, and the pursuants in euery such writ of Errour or bil, shall pay like fees therfore, as is vsed in England. 34. H. 8.

Falle iudgement.

25 ¶ No execution of any iudgement to bee given in any base Court shal be stayd or deferred, by reason of any writ of falle iudgement, but execution shal and may be had and made at al times before the reuersal of the sayd iudgement, the pursuit of the sayd writ notwithstanding, & in case the sayd iudgement happen after to be reuerfed, then the party pursuant shal be re-royed to al that he hath lost, by the sayd iudgement, according to the lawes of the Realme. 34. H. 8.

Weyghty causes.

26 ¶ Al proces for vrgent and weyghty causes, shal be made and directed into Wales by the special comandement of the Chancelor of England for the time being, or any of the Queenes counsel in England as hath bene vsed, any thing in this Act &c. notwithstanding. 34. H. 8.

Protonotaries.

27 ¶ There shal be foure Protonotaries for the making of al Iudicial proces, and for the entring of al plees, proces and matters of recozde in the Sessions, to be holden before the sayd Justices, whereof one of the sayd Protonotaries shal attend vpon the sayd Justice appoynted for the three shires of Northwales. And one other shal attende vpon the Justice assigned for the three shires of Flint, Denbigh, and Pountgomery, and the thirde shal attend vpon the Justice assigned for the 3. shires of Carmarthen, Cardigan, and Pembroke, and the iiii. of the sayde Protonotaries shal attend vpon the Justice assigned for the thre shires of Glamorgan, Brecknocke, and Rad-

nor,

nor, and the se foure *Procurators*, as often as their sayd offices shalbe voyd, shalbe named and appoynted by the Queene, by her letters patents, vnder her great Seale of England. 34. H. 8.

Procurators
fers.

28 *C*uery of the sayd *Procurators* within the limits of their offices, shall take such fees as hereafter be expressed, viz. for the writing of pleas, and ingrossing of writs of entrie in the Post, writs of right, *Quod ei desorciat*, or any writs pursued by the assent of the parties. v. s. and if it be with a double voucher, then vi. s. viii. d. And for the exemplification thereof ii. s. and for the engrossing of fines, to haue for euery fine three s. iiii. d. and if it bee with proclamations, then iiii. s. Item for euery bil of debt, detinue, trespass, & al other actions personals sued befoze the sayd Iustices in their circuits vnder the summe of xl. s. the *Procurator* shal haue for the first bil iiii. d. for the second bil iiii. d. and for the third bil iiii. d. and for the entrie of euery declaration, plea in barre, replication, & reioynder in and vpon euery such actions so that he do inroule the same in parchment iiii. d. And for euery venire facias, Tales, Habeas corpora, distring. in the same actions foure d. and for the iudgement iiii. d. and for euery writ of execution, in euery such action vi. d. and for euery warrant of attorney in euery such action, aswel for the plaintiffes, as for the defendantis iiii. d. Item in al actions of detinue, trespass, and al other actions personal, wher in the duty, debt, or dammage amounteth to the summe of xl. s. or aboue, which shalbe sued by bills befoze the sayd Iustices, the *Procurator* shal haue for the first bil iiii. d. for the second bil iiii. d. and for the third bil iiii. d. and for euery declaration, answer, replication, and reioynder if it be toinrouled in parchment 8. d. & for the venire facias, Tales, Habeas corpora, & distring. for euery of them vi. d. for the iudgement viii. d. & for the warrant of attorney iiii. d. and for euery writ of execution vpon the iudgement in such bills vi. d. Item in original writs sued vpon euery action personal returnable befoze the said Iustices, the *Procurator* shal haue for euery Iterum summon. vi. d. for euery distresse in trespass vi. d. & for the declaration viii. d. for the answer, replication, and reioynder for euery of them, if they be inrouled and ingrossed, as is abouesayd xii. d. for the Venire facias, Tales, Habeas corpora, and distring. for euery of them six pence; and the *Procurator* shal haue for the Entrie of the iudgements in euery such action twelue pence, and for euery writ of execution sued vpon the same vi. d. and for the exemplification of euery record in any of the sayd actions ii. s. for euery warrant of attorney iiii. d. In all actions reals & mixt, assises, *Quare impedit*, appeales of felony, murder, or maihem, the *Procurator* to haue for the declaration or playnt ii. s. and for the plea in barre, replication, reioynder, surreioynder, for euery of them, if they be inrouled as is aforesayd xx. d. and for the writing of euery Venire facias, Tales, Habeas corpora, and distring. vpon the same for euery of them vi. d. and for the entrie of the iudgement in euery of the said actions and appeales ii. s. & for the writing of the writs of executio made vpon euery of the said actions, appeales, & assises.

xii. d.

xi. d. and for writs of Grand cape and petit cape, and writs of biew, writs upon voucher, & al other writs, in euery such action or actions xii. d. & for euery warrant of atturney for the defendants, or for the demandants, or plain- tifs in euery such action reall, assise, appeale, & Quare impedit xiii. d. and for the essoines in euery such action xiii. d. and for the adiournment ii. d. and for the baille of euery person of felony xii. d. and for the baille for trespass vi. d. and for the apparance and bayling of common mainpryse ii. d. Item for wri- ting of writs for the peace and good abearing granted by any of the said Ju- stices in their sessions vi. d. and for the entring of euery recognisance, to bee had & taken before the said Justices, for euery cause or causes, other then be- fore is exprelled xii. d. & if it be with condition then ii. s. & upon euery acqui- tal and deliuerance of felons, or murderers by verdict, or by allowance of pardon, the Penotaries shal haue ii. s. & if it be upon indictments certified from the Justices of peace before the Justices of the great sessions, & clerke of the peace shal haue also xii. d. and upon deliury of any suspect of felony or murder, by Proclamation, the sayd Penotary shal haue xii. d. 34. H. 8.

Marshall,
Cryer.

29 ¶ There shall be a Marshall and a cryer in euery of the circuits and limits allotted to the sayd Justices, which shall be named by the sayd Justi- ces within the limits of their auctoritey and commission, in like maner and forme, as Justices of assise do in England, and the sayd officers shal at- tend vpon the sayd Justices in their circuits in their owne proper persons, and not by their deputies, & the Marshall shal haue vpon euery iudgement and euery fine xiii. d. and the cryer i. d. and vpon the acquittals of felons, and of them that shalbe deliuered by Proclamation, or deliuered out of common mainpryse, before any of the sayd Justices, the Marshall shal haue xiii. d. and the cryer a peny. 34. H. 8.

Justices of
peace.

30 ¶ouer and besides the sayd President, and the Counsell and Ju- stices, there shall be Justices of peace and Quorum, and one Custos Rotu- lorum in euery the sayd shires. And the sayd Justices of peace, Justi- ces of Quorum, and Custos Rotulorum, in the sayd shires shall be named and appointed by the Chaunceloz of England, by commission vnder the Queenes great seale of England, by the aduise of the President, Counsell, and Justices aforesayd, or iii. of them, of the which the sayd President to bee one, from time to time, as the case shal require. And there shall not excede the number of viii. Justices of the peace in any of the sayd shires, ouer and besides the President, Counsell, and Justices aforesayd, and the Queenes Atturney, and Soliciter: which President, Counsell, Justices, and the Queenes Atturney, and Soliciter, shalbe put in euery commission of peace, in euery of the sayd xii. shires. 34. H. 8.

What persons
may be Justis-
ces of peace.

31 ¶ Such persons as shalbe named to be Justices of peace within euery of the said shires, shalbe of good name and fame, and after they bee as- signed by commission, may vse and exercise the office of the Justice of peace, albeit they may not dispend xx. li. nor be learned in the lawes of the land, without

without any losse, damage, or penalties for insufficiency of their landes, and euery of the said Iustices of peace, before they shall execute the commission, shall take their othes before the Chauncelour of Englande, or else before the sayde President, or one of the sayde Iustices in Wales, by vertue of the Queenes writ of Dedimus potestatem, or before any other person to bee li-
 mitted by the Lord Chauncelour of England for that purpose, the contents of which othe shall bee after the forme, as Iustices of peace in England vse to make. 34. p. 8. S. Iustices of peace. 4.

Their othes.

32 ¶ The sayde Iustices of peace or two of them at the least, whereof one to be of the Quorum, shall and may keepe their Sessions within the li-
 mits of their Commissions foure times in the yeere, and at other times vpon
 vrgent causes, as Iustices of peace in England vse to doe, and shall haue
 like power and authoritie in all things, and fees of the Queene for the time
 of their sitting, as well for themselves, as for their clerkes, and shall be bound
 to vse and doe their offices in like maner as is vsed in Englande. 34. p. 8.
 S. Iustices of peace. 5. 6.

Quarter Ses-
 sions.

33 ¶ No Iustices of peace, Clerke of the peace, nor other Clerke of a-
 ny Iustices of peace in Wales, shall take for the writing of any warrant of
 the peace or good abearing about vi. d. and for the entering of pledges or bo-
 rowes to pay the Queene fine vpon any indictment ix. d. and if it bee with
 proceffation, then to take xii. d. for a Superedeas not about viii. d. and for a
 Recognisance xii. d. An. 34. p. 8.

Fees of the
 Iustices, and
 Clerkes of the
 Peace.

34 ¶ All the sayde Iustices of peace shall certifie all Recognisances ta-
 ken before any of them for the peace, or good abearing into their Sessions
 next to be holden after the taking thereof, And recognisance taken before any
 of them for suspicions of any manner of Felony, shall be certified before the
 Iustices in the great Sessions, next to be holden after the taking thereof,
 without concealment, deceyning, or imbecelling of the same, vpon such pe-
 nalties and dangers, as be therefore ordained and established. 34. p. 8. See
 Iustices of peace. 102. 103.

Certificate of
 Recognisance.

35 ¶ All fines and amerciaments before the sayd Iustices of peace to be
 lost, shall be taxed and offered by two Iustices of peace at the least, whereof one
 to be of the Quorum, and all such fines and amerciaments shall be set truly
 and due ly, according to þ quantity of the offences, without partialitie, or af-
 fection, and the said fines & amerciaments, and also all issues lost before the
 said Iustices of peace, and all forfeitures of recognisances, and other forfei-
 tures before the same Iustices, shall be perely extreated by the clerkes of the
 peace into the Exchequer, appointed for that limit, to the intent that proces
 may from thence be awarded for þ leuying of the same forfeitures & summes
 of money to the Queenes vse, to the Sherife of euery Countie, as shall ap-
 pertaine, who shall make thereof their accomptes before such Auditors as
 thereunto shall bee assigned, so that the Queene may thereof be due ly and
 truly answered and satisfied, which auditors shall make due allowance to
 the

Offerment of
 fines, & amercia-
 ments.

Fines, forfor-
 feitures & amercia-
 ments extreated.

Justices and
Clerkes fees.

Sherifes.

Their patents

Ordes.

The Sherifes
authoritie.

Sherifes fees
compt before
Auditors.

The Sherifes
fee.
Gaules.

the same sherifes for the fees of the Justices and Clerkes of the peace upon their said accompts as is used in England. 34. H. 8. S. Justices of peace. 7.

36. ¶ There shall bee Sherifes in euery of the sayde shires peereley appoynted by the Queene, and none of the saide sherifes shall haue their office of sherifewike any longer time then is used by the Lawes and Statutes of England, and for the peereley nomination of the sayd sherifes the saide Lord President, Counsell, and Justices of Wales, or thre of them at the least, whereof the said President to be one, shall peereley nominate iii. substantiall persons in euery of the said shires to be sherifes of the same, and shall certifie their names to the Lordes of the C. Counsell, attending upon her graces person, Crastino animum, to the intent the Queene being thereof aduertised, may appoynt one of them in euery of the said shires, to be sherife for the yeere after at her pleasure, like as her highnesse doeth for her Realme of England, and thereupon the sayd sherifes shall haue their patenes and commissions vnder the great seale of England as sherifes of England haue, and shall make and take othes and knowledges of recognisance before the President and Justices, or one of them, by vertue of the R. writ of Dedimus potestatem, to be directed for the same, for the due execution of their Offices, and for their iust and true accompts, before the Queenes Auditor or Auditors assigned for Wales. 34. H. 8. S. Sherifes. 4.

37. ¶ Euery of the saide sherifes shall haue full authoritie within the limits of their sherifewikes, to doe and vse their offices as sherifes in England, and shall accomplish, and execute without any fauour, dread, or corruption, all maner of writs, proces, iudgements, and executions, and all common Justice appertaining to their Offices of sherifes, and all lawfull commandements, and precepts of the saide President, Counsaile, and Justices of Wales, and also of the Justices of the peace, Eschetors, and Coroners, and euery of them, in all things appertaining to their offices and authoritie. And the said Sherifes shall doe, and be bound to doe all and euery other thing and things for the ministracion of Justice, and for y^e conseruation of the Queenes peace, and the apprehension and repressell of Traytors, murderers, theues, felons, and other offenders, as sherifes of England doe vse and be bound to doe within the realme of England. 34. H. 8.

38. ¶ The sayd sherifes shall yerely accompt before such the Queenes Auditor or Auditors, as shalbe assigned by the Queene for her sayde dominion of Wales, and euery of the sayde sherifes shall haue peereley for his fee v. li. 34. H. 8.

39. ¶ Euery of the sayde sherifes shall haue a gaole for prisoners within some conuenient place of the Castell of the Shire Towne where hee is Sherife, or in such other conuenient place, as by the sayd President, Counsell, and Justices or iii. of them (whereof the saide President to be one) shalbe appointed. 34. H. 8. S. 5. Cl. 24. Prisons. 1. &c. The Justices of peace of the Countie of Denbroke, Glamorgan, Cardigan, Radnor, & Powtgomery, haue

have authoritie to execute all things concerning the building and new making of Gaoles, in the said counties, as the Justices of peace and other persons of any of the Counties contained in the Statute provided in that behalfe.

23. H. 8. 2. may and haue authoritie to doe.

40. The Shyryfes counties, or shire courtes of the Countie of Brecknocke, shalbe holden at Brecknocke, of Radnor at new Radnor and Wiston, of Montgomery, at Montgomery, and Bagbenleth, of Denbigh, at Denbigh and Wylham, of Pounmouth, at Pounmouth and Newport, Alternis vicibus. 27. H. 8. 26.

County courts

41. The Shyryfes shal keepe their Counties monethly, and their hundred courts for plects under xl. s. as is vsed in England, and shal take for the entring of plaints, pproces, plects, and iudgements in the saide shire courtes, and hundred, such small fees, as are vsed to be taken in shires and hundreds in England not aboue. 34. H. 8.

County courts kept monethly

42. All trials befoze them in their said Courts, or befoze any Stewards in Court barons, shalbe by wager of law, or verdict of vi. men, at the pleasure of the partie plaintife or defendante that pleadeth the plea. 34. H. 8.

Trials befoze Shyryfes or Stewards.

43. Euery of the said Shyryfes shal keepe their turnes perely after Easter and Michaelmas, as they haue bene vsed in England, and the Q. shal haue al forsaitures, fines, issues, and amerciaments forsoited in any of the said counties, & hundreds, courts and turnes to her owne vse, and the Shyryfe shal accompe for the same accordingly. And the estreats of the said turnes, counties, & hundreds shalbe viewed, and the fines, issues, and amerciaments, assered by the Justices of assises of that circuit, befoze the leuying of the same amerciaments, or other forsaitures, and no shyryfe or any of his officers shal presume to gather or leuy any such amerciament, or other forf. befoze the said estrete be so assered, vpon paine to forf. to the Quenes vse xl. s. 34. H. 8.

Shyryfes turnes.

Estreats assered by the Justices of assise.

44. The Shyryfe vpon euery iudgement had befoze him in his Countie, or hundred court, in any plaint under xl. s. shal and may award a Capias ad satisfaciendum, to arrest the partie condemned, or els a Fieri facias at the libertie of the pursuante. 34. H. 8.

Execution vpon a iudgment in the Shyryfes court.

45. All bills sued befoze the said Justices in personall actions, whereof the debt, duetie or dammage is under xl. s. the shyryfe shal haue for the retorne of euery bill ii. d. And for euery Venire facias, Tales, Habeas corpora & Distringas ii. d. & for writs of execution vpon iudgement in any such bill xii. d. And in bills sued befoze the said Justices in actions personals, aboue the summe of xl. s. the shyryfe shal haue for the retorne of euery such bill iiii. d. And for the retorne of euery Venire facias, Habeas corpora, Distringas, and Tales iiii. d. and for euery writ of execution ii. s. And in all personall actions sued by originall writs returnable befoze the saide Justices, the shyryfe shal haue for euery Iterum summon. distringas, and alias distringas iiii. d. and for euery Venire facias, Habeas corpora, distringas, and Tales vi. d. and for euery writ of execution to be executed vpon iudgement in such actions ii. s.

Shyryfes fees.

for the serving of every writ of Elegit vi. s. xlii. d. And in all reall actions, or mixt pursued before the said Justices by originall writ, for returne of every originall writ ii. s. and for returne of every other writ and Iudiciall proces depending vpon the same before iudgement, ii. s. and for every writ of execution after iudgement vpon every originall, in actions reall or mixt, ii. s. and for serving of every writ of Habere facias seisinam vi. s. viii. d. And for attachments vpon Capias, or other proces sued before the sayde Justices by originall or Iudiciall writ, if he returne Cepi corpus two shillings, and for a Redditi se vpon an Exigent of Felony, in Appeale of murder, or maiime, or vpon any indictment of Felonie or Murder, two shillings, and vpon a Redditi se, vpon an Exigent of debt, trespassse, detinue, and all other actions personals, twelue pence. And for the making of Repledge twelue pence, and Wichefnam vpon the same twelue pence, for the returne of every writte of appeale of Murder, Felonie, or maiime xii. pence. And vpon all other proces growen vpon the same, as Venire facias, Tales, Habeas corpora, & Distringas xii. d. And in every action taken before the Sherifes by Justices for the summons thereof iiii. d. And for every other proces there vpon iiii. d. And for every prisoner deliuered by acquittall, or by Proclamation for any maner of Felony xii. d. 34. H. 8.

Suspect persons put vnder mainprie.

46. ¶ Every Sherife within the limites of his authoritie, may and shall put such persons vnder common mainprie, as they haue reasonable cause of suspect, binding such as they shall so put to common mainprie with two sufficient sureties with them by recognisance, to appeare before the Justices within the limites of their authorities at the next great Sessions to be holden next after the taking of such bandes, and shall certifie the names of them that be bound before the sayde Justices at the sayde Sessions accordingly, without concealment thereof at their pleasure. 34. H. 8. And the recognisances of such common mainprie, and suretie of appearance taken before any of the sayde Sherifes, shall be as good and effectuell, as if it were taken by any Justices of recoorde. And every person and persons within the Counties of Brecknocke, Radnor, Pountgomery, Denbigh, Glamorgan, Carmarthen, Pembroke, and Cardigan, or any of them, put vnder common mainprie, and bound to his or their personall apparance, as well by the fore sayde Sherifes, as by the Justices of any of the sayde Counties, shall keepe their apparance before the sayd Justices at every Sessions within the sayde counties to be holden in such like maner and forme, as is vsed in the three Wires of Northwales. 27. H. 8. 26.

The Sherifes see for mainprie.

47. ¶ Every person that the Sherife takech to common mainprie, to appeare before the said Justices, as is aforesaid, shall pay for his mainprie ii. d. and not aboue. And the sayd Sherife shall put no man to common mainprie, but such as be suspect, and as shall be returned by them, before the saide Justices at their Sessions, as is aforesaid. An. 34. H. 8.

48. ¶ And the said Sherife shall haue for the returne of a writte of false iudgement

judgement out of a bafe Court, before the fayd Iuftices ii. s. And the fayd Sheriffe fhall take no manner of fee for the returne of any of the layde writs of execution before expreffed, vnlleffe he returne the fame executed. 34. H. 8.

The fee for returne of a writ of falfe iudgement.

49. S. 1. Ed. 6. 10. Exigents. 7. that euery Sheriffe of the layde xii. countie in Wales, and of the countiees Palantine of Lancaster, Chester, and of the citie of Chester, fhall haue in euery of the Courtes of the kings Bench, and common ples, one fufficient deputie at the leaft, to receiue writs directed to fuch Sheriffe &c.

The Sheriffes deputies.

50. The Sheriffe fhall make the Baylifses of hundreds, and they fhall attend vpon the Iuftices in euery of their Courts and Sessions. 34. H. 8.

Baylifses of hundreds.

51. Elchetoys fhall be named in euery of the layd Shires by the Loyde Treafurer of England, by the aduife of the layde Prefident, Counsell, and Iuftices, or thre of them at the leaft, whereof the layde Prefident to be one, which Elchetoys fhall make and take their othes, and knowledge their Recognifances before the layde Prefident or one of the layde Iuftices, by vertue of the Queenes writ of Dedimus potestatem, to be directed for the fame, for the due execution of their offices, and for their true accompt to be made before the Queenes Auditour or Auditours, to bee assigned for the fame, which oth and recognifance fhall be agreeable to the oth and recognifance vfed for the Elchetoys in England, and the Elchetoys fhall yerely haue their patents and Commissions vnder the great feale of England, and fhall haue power to exercife their offices, in like maner and foyme as Elchetoys in England; and fhall be bound to all lawes and ftatutes of England. And all fuch perfons as fhall be appoynted to the layd offices, fhall and may exercife their offices, if they may difpend peerely v. li. of freeholde, any ftatures of Englande to the contrary thereof notwithstanding. And euery of the layde Elchetoys fhall make their accompts yerely before fuch Auditor or Auditours, as fhall be assigned by the Queene, to heare & determine her accompt, for her reuenues and profites of the layd dominion of Wales. 34. H. 8.

Elchetoys.

52. There fhall be ii. Corjoners to be elected in euery of the layde xii. shires as is vfed in England, by vertue of the Queenes writte de Coronatore eligendo to bee awarded out of the Queenes Chauncery of England. And the layde Corjoners fhall haue like authoritie to doe and exercife their offices, and haue like fees, as is limited by the lawes and ftatutes of England. Provided alwayes that the writte de Coronatore eligendo to chufe the Corjoners within the layd Countie of Flint, fhall be directed out of the Elchequer of Chester. An. 34. H. 8.

Corjoners.

53. The layde Iuftices of peace, or two of them at the leaft, whereof one of them to be of the Quorum, fhall appoynt and name in euery hundred within the limits of their Commission, two fubftantiall gentlemen, or peomen to be the chiefe Constables of the hundred wherein they inhabite, which two Constables of euery hundred fhall haue fpeciall regarde to the conseruation of the Queenes peace, and fhall and may doe and vse their offices in

Countie of Flint.

Constables of the hundred.

all and singular things as is vled by the high constables of the hundredes in England, and shalbe bound to all things as high Constables of the hundredes in England be bound to. 34. H. 8.

Stewards of Courts.

54 **C** All Stewards of any Lordshippes, or manors in Wales, shall and may keepe and holde such Leetes, Lawdayes, and Court Barons, as appertaineth and belongeth to the Lordships and manors whereof they bee Stewards, and hold plees by plaint vnder the summe of xl.s. in euery such court baron, and haue and enioy all other authorities, commodities, and profits, as Stewards of Leetes, Lawdayes, and Court barons in Englande commonly haue, and bee vled to haue by reason of the sayde offices and none other, any law, custome &c. in the sayde Dominion of Wales notwithstanding: But the said Stewards nor any of them, nor the Sherife of the sayde counties in Wales, shall haue any authoritie to enquire of any maner of Felony in any such Leete, Lawday, or turne, within the sayd dominion to be holden. And no Leete, nor Lawday shalbe kept by the Steward or other officer of any Lordship or manor in the said dominion of Wales, but in such Lordships and places where it was accustomed to be kept, before the making of the statute of 26. H. 8. so alwayes the place where such court shalbe kept be meete and conuenient for that purpose. 34. H. 8.

No Sherife or Steward shall enquire of felony.

Head officers of corporate Townes.

55 **C** All Maiors, Bayliffes, and head officers of corporate townes in Wales may holde plees, and determine actions, and doe euery other thing concerning common Iustice, according to their lawfull graunts and lawdable customes of such townes, so alwayes they follow the course, trade, and fashion of the lawes and customes of the Realme of England, and not of any welsh lawes or customes. And in euery of the sayd townes they may trie all issues toynd in any action personall by vi. men according as heretofore in diuers places of the said countrey it hath bene vled, any thing in this act &c. notwithstanding. 34. H. 8.

Mulneger.

56 **C** The Aulneger in Wales, by him selfe, or his sufficient deputie or depuries, shall in all things to his office appertaining doe, and bee bound to doe, and answere in euery case like, and according as all and euery Aulneger in England doe or ought to doe, according to the lawes and statutes of the Realme of England. And for the contrary doing or exercising of the sayd office, shall in euery case and degree suffer, as by the sayde Lawes and statutes is ordayned for Aulnegers, vnder the Treasorer of England for the time being. 34. H. 8.

All Courts &c. kept in d English tongue.

57 **C** All Iustices, Commissioners, Sherifes, Coroners, Eschetors, Stewards, and their Lieutenants, and all other Officers, and ministers of the law, shall proclayme and keepe the sessions, courts, hundredes, leetes, Sherifes courts, and all other Courtes in the English tongue, and all othes of officers iuries, and enquests, and all other Affidauits, verdicts, and wagers of law shalbe giuen and done in the English tongue, And also no person or persons that vse the welsh speech, or language, shall haue or enioy any maner office

office of fees within the Realme of England, Wales, or other the Queenes dominions, vpon paine of forf. the same offices of fees, vntill he or they vse the speach of language of English. 27. H. 8. 26.

No use of
with speach
by officers.

58 ¶ In all and euery writs original or iudiciall, or other proces, ples, or writings which be not expresse in this ordinance, the fees thereof aswell for the seales, as writing, shall be rated by the saide President, Counsell, and Iustices, or thre of them, whereof the saide President to be one, by their discretions from time to time as the case shall require, and they shall haue full power from time to time to assesse & appoint what fee the saide Sherifes, Esche- tors, and Coroners and their ministers, pynoraries, and their clarkes, and other ministers of Justice in the sayd Shires shall haue of the Queenes sub- iects for any maner writs, plaines, ples, proces, retournes, or any other matter of thing concerning, or belonging to the execution of their offices & rowmes, and to augment or diminish any fee or fees, aboue declared, as shall be thought by their discretions to bee conuenient and meete for the common wealth of the Queenes subjects of those parties of Wales. 34. H. 8.

Fees rated by
the President
and Council.

59 ¶ All Bailiys, Sheriffes, Stewards, Bailifes, and other ministers and officers of Justice of euery county, Lordship, towne and place within the said dominions of Wales, and all and singuler the Queenes subjects of the same, shall be alwayes obedient, attendant, and assisting to the saide President, Counsaile, and Iustices of Wales, and euery of them, and shall obey the Queenes commaundements and proces from them or any of them directed, and all the lawfull and reasonable precepts of the saide President, Counsaile, and Iustices and euery of them. And also shall be obedient to all the said Iustices of peare, Sherifes, and Esche- tors within the limits of their said authori- ties, aswell for common administration, and due execution of Justice, as in all other things appertaining to their duties and offices. 34. H. 8.

All officers &
obedient to the
President,
Counsaile, and
Iustices.

60 ¶ No person for murder or felony shall be put to his fine, but suffer ac- cording to the lawes of the realme of England, except it please the Queene to pardon him. And if the saide Iustices see cause of picie or other considerati- on, they may reppie the prisoner, till they haue aduertised the Queene of the matter. 34. H. 8.

No felon shall
be put to his
fine.

61 ¶ If any murder or Felony bee committed within Wales, then the party to whom any such offence shall be committed, shall in no wise take any ende or agreement with the offendo in that behalfe, nor with any other in his name or behalfe, vntill the sayde party first make the sayde President and Counsell, or one of the sayde Iustices priue vnto the same, vpon paine of imprisonment and greuous fine, to be set and adiudged at the discretion of the saide President, Counsell, and Iustices, or two of them, whereof the sayde President to be one. The same paine and penalties to extend aswell to and against such as shall labour, mooue, or procure any such ende or agreement made (although the same labour, motion, or procurement neuer take effect to make any ende or agreement) as against him or them, with whom such

No man shall
agree with a
felon.

ende of agreement shalbe made, if the same happen to take effect. 34. H. 8.

Cumultes.

62 ¶ No person or persons without lawfull authoritie, shall make any rumors, cumultes, unlawfull assemblies, or outcries at any of the sayde Courtes or Sessions, nor any outcries, nor unlawfull assemblies in great numbers, at any other time, except it bee for the apprehension or pursuing of murderers or Felons, upon paine of imprisonment, and grievous fine to be taxed and set upon them by the sayd President and Counsell, or by the Justices or other officer before whom such misbehaviour shall happen to be committed. 34. H. 8. 4. H. 4. 27.

Voucher of
fojem plea.

63 ¶ In case any fojreine plea, or voucher bee made by foze any of the sayde Justices of Wales, betweene partie and partie, triable in any oether shire within Wales, then where the sayde plea is pleaded or voucher made, Then the sayde Justices before whom the same plea or voucher shalbe pleaded or made, shall and may send the Queenes writte with a transcript of the recozde, mentioning the same fojreine matter of plea, or voucher, under the seale to him committed, unto the Justice of the countie where the same matter shalbe triable, commanding the sayd Justice by vertue of the said writte to pproceede to the triall thereof, according to the Queenes lawes and statutes, which triall sa be foze him had, hee shall remaund with the whole recozde, unto the Justices before whom the sayde plea or voucher was pleaded or made, who thereupon shall pproceede to iudgement, as the case shall require, And in case the same fojreine plea, voucher, or other matter so pleaded, be tryable within the Realme of England, Then the Justice before whom the same plea or voucher shall be pleaded, had, or made, shall and may pproceede to the triall thereof, as shall appertaine within the same Shire of Wales, where the same olde plea, voucher, or matter was pleaded, the sayde fojreine plea, voucher, or any other thing or matter to the contrary thereof notwithstanding. 34. H. 8.

All lands in
Wales shalbe
English tenure
and not
Gauckinde.

64 ¶ All Hanors, lands, tenements, mesuages, & other hereditaments, and all rightes and titles to the same, in any of the Shires of Wales, descended to any maner person or persons since the feast of the Nativite of S. John Baptist. 33. H. 8. or that hereafter shall descend, shalbe taken, enjoyed, used, and holden as English tenure to all intents, according to the Common Lawes of this Realme of England, and not to be partable among heires males after the custome of Gauckinde, as heretofore in divers partes of Wales hath bene used. And the same Law from & after the sayd feast of S. John Baptist, in the sayd 33. yeere, shall be used, taken, and exercised in the sayd Countie of Monmouth, and in all such Lordshippes, and other places, as by vertue of the Act made 27. H. 8. 26. or by any other Act or Acts, made or to be made, were and shalbe annexed to any of the Shires of Salop, Hereford, Gloucester, or other Shires, any Lawes or Customes &c. notwithstanding. 34. H. 8.

Engage of
lands.

65 ¶ No Porgages of landes, tenements, or hereditaments, made or
had

had after the sayd feast of S. John Baptiste, which was 33. H. 8. or that hereafter shalbe had or made, within any of the said shires or places, shalbe allowed otherwise, then after the course of the common lawes and statutes of the realme of England, any vslage, or custome &c. notwithstanding. 34. H. 8.

66 ¶ It shall be lawfull to all persons, to alien, sell, or otherwise put away their landes, tenements, and hereditaments, within the said dominion of Wales, the Countie of Downmouth, and other places annexed to any of the shires in England, from them and their heires to any person or persons in fee simple, or fee taile, for terme of life, or for terme of yeeres, after the manner and according as is vlsed by the lawes of England, any Welch lawe or custome heretofore vlsed in the sayde dominion of Wales to the contrary thereof notwithstanding: This article to take effect, from and after the sayd feast of the Nativitie of S. John Baptiste. 33. H. 8. 34. H. 8.

Extinction of
landes after
the English
manner.

67 ¶ If any person or persons, having landes, or tenements within the sayd dominion of Wales, shalbe bound within the Realme of England by obligation, vpon the Statute of the Staple, or by recognisance, and pay not the debt as shall appertaine: Then vpon certificate thereof made into the Queenes Chancery of England, by the clerke of the Staple, or by any Justice of record, before whom such recognisance shalbe knowledged, procces shalbe made to the Sherifes of Wales, out of the Chancery of England, after the forme as is vlsed to be made vpon statutes and recognisances by the course of the lawes of England, for due leuying and paying of the said debt. But for such recognisances as shall bee taken and knowledged before the Queenes Justices of her bench, or common pleas in England, procces shall be had and pursued immediatly out from the sayde Justices, as is vlsed vpon recognisances taken before the Justices by the common course of the lawes of England. 34. H. 8.

Inheritors of
Wales bound
by statute, or
recognisance
in England.

68 ¶ All such writs, bills, plaints, pices, procces, challenges, and trials shalbe vlsed throughout all the shires aforesaide, before the sayde Justices in their Sessions, as is vlsed in Northwales, or as shalbe deuised by the sayde President, Councell, and Justices, or thye of them, whereof the sayd President to be one, for the good ministration of Justice to be had in euery of the said shires. 34. H. 8.

What writs,
bills, & procces
shalbe vlsed.

69 ¶ If any person or persons, their ancestors, or they whose estate hee or they haue, haue bene in peaceable possession of any landes or tenements in Wales by the space of five yeeres, without let, interruption, or lawfull claimer: Then the same person or persons shall continue their possession, until such time as it be lawfully recovered against them by order of the Queenes lawes, or by decree of the President and Councell there. 34. H. 8.

Five yeeres
possession.

70 ¶ Every person that hath any landes or tenements in fee simple, or fee taile, or for terme of his life, or for terme of any other mans life, being freehold, shall & may passe in all maner Iuries & trials, as well in case of felonie or murder, as in all actions real, personall, and mixt whatsoever they be,

What living
the Iuries in
each case must
dispend.

(Accatne

Wales.

(Attaine onely except) and also may be impannelled, and inquire of all concealments, forcible entries, and other causes of inquitie for the Queene, albeit hee may not dispend xl.s. by yeere: Saving to every man his lawfull challenge for any other cause, according to the lawes of the Realme of England. And no Juror shall passe in attaine, unless he may dispend xl.s. by the yeere of estate of freehold. 34. H. 8.

Attaine.

71 ¶ Sec 5. Cl. 25. 14. Cl. 9. Jurors 23. That the demandants and plaintifes, tenants and defendants in Wales, upon request made to the Justices of the great Sessions, may have a Tales de circumstantibus, where a full Jurie shall not appeare, or els after apparance of a full Jurie, where the Jurie is like to remaine untaken for default of Jurors by challenge of any of the parties. S. 34. H. 8. That in personall actions taken and pursued before the Justices in Wales by writ or bill, if it of the Jurie be swoyne to trie the issue, and the residue make default, or be tried out, then the Sherifes shall and may immediately returne other names in the sayde Jurie De circumstantibus, untill there bee xii. men swoyne to trie the issue, as before the Justice of Northwales hath bene used.

Tales de circumstantibus.

72 ¶ If any goods or cattels be stolen by any person or persons, and sold in any faire or market, within the said dominion of Wales, no such sale shall change the proprietie thereof from the owner of the same, but hee may lawfully seise, take, and have the same againe, upon ppoofe thereof made, the saide sale notwithstanding. 34. H. 8.

Sale of stolen goods.

73 ¶ No person or persons shall bargain or buye any maner of beast, or other quicke cattell in any place within Wales, out of the market or faire, unless he can bring forth sufficient and credible witnesses of the name of the person, what place, and time he bought the same, upon paine and danger of such punishment and fine, as shall be set upon him, by the said President and Councill, or any of the sayd Justices in his circuite, for the said offence, and as he will therefore answer at his further perill. 34. H. 8.

No cattell shall be bought out of p market &c.

74 ¶ If any goods or cattels be stolen within the limits of any of the sayd shires of Wales, then upon sute thereof had and made, the tract shall be followed, from towneship to towneship, or Lordship to Lordship, according to the lawes and customes in that behalfe heretofore used in Wales, upon such penalte and danger, as heretofore hath bene accustomed. 34. H. 8.

Pursuit after stolen goods.

75 ¶ The Queene shall have all felons goods, and goods of persons outlawed, wayfe, strapes, and all other forfeitures and eschetes whatsoever they be, answered thereof by the hands of the Sherifes, Saving alwayes the rights and interests of every of her subiects, having lawfull title to have the same. 34. H. 8. vide p. 54. 1227

The Q. shall have all eschetes.

76 ¶ This act of 34. H. 8. or any thing therein contained, shall not be prejudiciall to any person or persons or bodies politique, for or concerning any landes, tenements, rents, services, bondmen, colles, or other hereditaments, but they and every of them, their heires, successors, and assignes shall

Each persons inheritance saved.

shall haue and enioy their lands &c. in such like maner as they had the same before the making of this act. 34. H. 8.

77 ¶ All libertties, franchises, and p̄sullidges of the Duchy of Lancaster, or in any wise appertaining to the same, shalbe of the same force, and condition, and may be vsed in as large and ample maner, as they were before the making of this act, any thing &c. notwithstanding. 34. H. 8.

Libertties of the Duchie.

78 ¶ All actions reals that shall be commenced or sued for any landes, tenements, or hereditaments, or any other thing within the countie of Donmouth, and all accions personals within the same shire, of the summe of xl.s. or aboue, And all accions mixt shall be sued by originall writ out of the Chauncerie in Englande, and heard, determined, and tried before the Queenes Iustices in England, by Assise, or Nisi prius, within the sayde Countie of Donmouth, in such like maner, forme, and wise, as all other actions reals, personals, and actions mixt be sued, heard, determined, and tried in or for any shire of the realme of England. 27. H. 8. 26.

Actions sued in p̄ countie of Donmouth.

79 ¶ The Queenes Iustices of her Bench, or of the common Bench at Westminster haue full power to direct all maner proces to the Sherife, and all other officers of the said countie of Donmouth, and also to direct writs of venire facias to the same Sherife for the triall of such issue ioyned before them, and also to award Commissions of Nisi prius into the said Countie of Donmouth, for the triall of such issues ioyned before them, in like maner & forme as they doe into euery shire of this Realme of England. 27. H. 8. 26.

Triall of Nisi prius in the countie of Donmouth.

80 ¶ All and euery the Queenes subiects and inhabitants within the sayde Countie of Donmouth, be bound to be obedient and attendant to the Lorde Chauncelloz of Englande, the Queenes Iustices, and other the Queenes most honorable counsell, and vnto all lawes, customes, ordinances, and statutes of this Realme of England, in like maner, forme, & wise, as all other the Queenes subiects within euery shire of this Realme of England be bounden. 27. H. 8. 26.

Inhabitance. in Donmouth obedient to the lawe & Magistrates of England.

81 ¶ The Sherife of the sayd Countie shall holde plea of Replegiari, and all other suites and plaines vnder xl.s. in his countie or shire court, in like maner and forme, as all other Sherifes do within this Realme of England. 27. H. 8. 26.

Of what things the Sherife of Donmouth shall hold plea.

82 ¶ The Sherife, Eschetors, and Coroners that bee within the sayde Countie of Donmouth, bee bound to execute all the Queenes proccesse, and to make due returnes thereof, and to vse and exercise their offices according to the lawes and statutes of this Realme of England, in all and euery thing, as the Sherifes, Eschetors, and Coroners be bound to doe in all and euery other shire of this Realme of England. 27. H. 8. 26.

The Sherifes Coroners, Eschetors due ty.

83 ¶ The Sherife and Eschetors of the saide shire of Donmouth that shall bee appoynted by the Queene, shall make their accomptes for their said offices in the Queenes Eschequer in England, in like maner and forme as other Sherifes & Eschetors doe within this Realme of England, & vpon such like

The Sherifes, and Eschetors accompt.

Two knights
and one bur-
gesse for the
parliament.

like paines and penalties, as is upon other shirifes and Eschetors in euery other shire within this Realme of England. 27. H. 8. 26.

84. ¶ For all Parliaments to be holden for this Realme, two Knights shall bee chosen to the same Parliamene for the shire of Donmouth, and one Burgesse for the Borowgh of Donmouth, in like maner, forme, and order, as other knights and Burgesse of the Parliament be elected in all other shires of England, and the same knights and burgesse shall haue like dignitie, preheminnence, and priuiledge, and shall be allowed such fees, as other knights and Burgesse of the parliament haue bene allowed. And the knights fees shall be leuied, perceiued, receiued, gathered, and paid in such maner, forme, and order, as such fees be gathered &c. in other shires of this realme of England, and the Burgesse fees shall bee leuied as well within the borowgh of Donmouth, as within all other auncient Borowghs within the sayd shire of Donmouth. 27. H. 8. 26.

Hauerford
west.

85. ¶ The Queenes high Iustice of the Countie of Pembroke shall bee high Iustice of the Countie and towne of Hauerford west, and shall haue like authoritie to and for the ministracion of Iustice within the sayd countie and towne of Hauerford west, as is appointed to the sayd Iustice to and for the administracion of Iustice in the sayd Countie of Pembroke. And the Shaior, Shirife, Bailife, and burgesse of the sayd countie and towne of Hauerford west, from time to time shall be as well attendant, and obey all precepts and commaundements of the President and Counsell of the Queene in her Marches of Wales, as also shall be attendant to all precepts and processe awarded or directed by the sayd high Iustice vnto the Shirife of the sayd countie and towne of Hauerford west, and to make retorne thereof, and the sayd Shirife of the sayd countie and towne, shall serue all precepts and processe directed from the sayd high Iustice, in like maner and forme, as the Shirife of the sayd countie of Pembroke is bound to do, and according to the effect and purpoyt of the Queenes ordinaunces in that behalfe had, made and provided. And it shall be lawfull vnto the said Shaior, Shirife, bailife, and burgesse of the sayd countie and towne of Hauerford west aforesaid, to vse and exercise all lawfull liberties and grants by king H. 8. or his progenitors to them granted and confirmed, at the Queenes pleasure, according to the lawes of this Realme of England, and not otherwise. And the iudiciall seale of the sayd shires of Pembroke, Carmarthen, and Cardigan, being in the custodie of the Queens high Iustice there for the time being, shall be used in the sayd countie and towne of Hauerford west, as the original and iudiciall seale of the same towne & countie. And the said Iustice of the sayd shires of Pembroke, Carmarthen, and Cardigan, shall haue like authoritie by vertue of the Queens letters Pattentes to him made, as wel to do euery thing concerning common Iustice to bee ministred within the sayd towne and countie of Hauerford west, as hee both in his sayd letters patentes within any of the sayd shires of Pembroke, Carmarthen, and Cardigan. 34. H. 8.

86 ¶ These Lordships, Townships, parishes, commons, and cantredes hereafter named, being Lordships, parishes, and sometime lying between the Shires of England and Wales, And all honours, manors, lordships, castles, lands, tenements, and hereditaments lying or being within the compass or precinct of the said Lordships, townships, hamlets, parishes, commons, and cantredes, and every of them, in whose possession soever they be, are guildable, and taken as part and member of the shire of Monmouth viz. Monmouth the head and shire towne of the said Countie, Chepstow, Patherne, Llanphangell, Pagour, Goldcliff, Newpozt, Wenlong, Llanerue, Caerlyon, Uske, Treleck, Tintern, Skinscreth, Grousmont, White castle, Reglan, Calicot, Biston, Aberguenny, Pentose, Greenesfeld, Paghben, Dorchuplade. 27. H. 8. 26.

Part of the
parches an-
nexed unto
certaine shires
in England
and Wales.

Monmouth.

87 ¶ These Lordships, townships, &c. are guildable, and within the shire of Radnor, viz. New Radnor, the head and shire towne of the saide Countie, Clutherman, Cnelles, Bongherd, Blasebury, Glawdistre, Dihels church, Deleleth, Blewaghe, Knighton, Doxton, Preston, Coymorhudder, Rayder, Gwerthponion, Stanage. 27. H. 8. 26.

Radnor.

88 ¶ These Lordships, townships &c. are guildable and within the shire of Brecknocke, viz. Brecknocke the head and shire towne of the saide countie, Trekehowel, Cretowye, Penkellep, English Talgarch, Welsh Talgarch, Dynas, the hay Glynebogh, Brypules, Cantercely, Lando, Blayulynby, Efredow, Bueleth, and Lingos. 27. H. 8. 26.

Brecknocke.

89 ¶ These Townes are guildable and within the shire of Mountgomery, viz. Mountgomery the head and shire towne of the said countie Redwenkery Cawellim, Arnestely, Kenstioch, Doyrthur, Powesland, Clunel-land, Balesley, Tempcester, and Alcester. 27. H. 8. 26.

Mountgomery.

90 ¶ These townes &c. are guildable, and within the shire of Denbigh, viz. Denbigh land, the head & shire town of the same countie, Ruthin, Sam-ealle, Kynlletthowen, Bromfeld, Pale Chirke, Chirkeland. 27. H. 8. 26.

Denbigh.

91 ¶ These Towneshiys &c. are guildable, and annexed to the coun- tie of Salop, viz. Abertannad, Oswester, Wherington, Pasbzake, Knock- ing, which with their members shalbe taken the hundred of Oswester, And Elefmer annexed to the hundred of Pimhill, and Downe, and Cherburie annexed to the hundred of Cherburie. 27. H. 8. 26. 34. H. 8.

Salop.

92 ¶ These towneshiys are guildable and annexed to the countie of Hereford, viz. Cwpa Lary called the hundred of Cwpa Lary, Cwpa Harold, annexed to the hundred of Weetree, Clyfford, Wylferton, Perdesley, Whit- ney, & Huntingdon, called the hundred of Huntingdon, Weigmoze loghar- neis the hundred of Weigmoze, Stepulcon. 27. H. 8. 26.

Hereford.

93 ¶ These Lordships are guildable, and annexed to the countie of Gloucester, viz. Molaston, Tidonam, Berchley, and al lands lying betweene Chepstow bridge in the Marches of Wales, and Gloucester shire, and in the hundred of Weleburie. 27. H. 8. 26.

Gloucester.

94 ¶ These

Glamorgan. 94 ¶ These Lordships are guildable and annexed to the countie of Glamorgan, viz. Gowerkinney, Bishops towne, Landaff, Singbintghe Supra, Singbintghe Subcus, Piskin, Dgmoze, Glynerotheny, Callagarne, Buthien, Tallaun, Lamblethian, Lantwive, Tperial, Auan, Neth, Landwey, and the Clapes. 27. H. 8. 26.

Carinarchen. 95 ¶ These Townes &c. are guildable, and within the shire of Carmarthen, viz. Lanemeche, Aerpe, Abermerleste, Redwely, Eskenninge, Coynewoolchon, Newcastle, Emlyn, Abergolly, and Landkiffan, Usterlois, Langham, parcell of the hundred of Derlepe. 27. H. 8. 26.

Pembroke. 96 ¶ These Townes are guildable, and within the shire of Pembroke, viz. Kilgarran, Lansteflan, Langeharue, ocherwise called Tellangharne, Malwincastell, Dewesland, Lennehadein, Laukey, Penberth, Slebeiche, Rolmarket, Castellan, Landoiloure. 27. H. 8. 26.

Cardigan. 97 ¶ These townes &c. are guildable, and within the shire of Cardigan, viz. Tregaton, Genegerin, Landway, Utenp. 27. H. 8. 26.

Flint. 98 ¶ These Townes &c. are guildable, and within the shire of Flint, viz. Hoppe, Hawarden, Hereforde, Dsley, and Godelsdale within the hundred of Godelsdale, Allaph, within the hundred of Rutland. 33. H. 8. 12.

Powthway. 99 ¶ The Lordships townes, and parishes of Powthway, and all lands, tenements &c. within the compasse of the same, are guildable, and annexed to the countie of Merioneth in Northwales as a commote member, or part of the same. 27. H. 8. 26.

Worcester. 110 ¶ The Towne of Bewdly within the parish of Ribbesford in the countie of Wygorne, and all the ground and soyle of the same towne, is united, annexed, and made parcell of the Countie of Wygorne and within the hundred of Dodingtree: and the inhabitants of the sayde towne and parish shalbe attendant, and doe euery thing with the inhabitants of the said hundred. Saving to the Burgesse and inhabitants of the said towne of Bewdley, all such liberties and franchises, as they lawfully had and exercised in the same Towne before the making of this act. 34. H. 8.

Apparance and Attendance at Courts. 101 ¶ All and singular person and persons dwelling or resident within Wales, or in the Lordships marchers of the same, at all times upon such monition or warning given for the court to be kept in Wales, or in any of the Lordships Marchers, as before time hath bene used, shall personally appeare before the Justice, Steward, lieutenant, or other officer at all and euery Sessions, court and courts, to be holden before the same Justice, Steward, or other officer in any whatsoever place within Wales, or within the precinct, limits, and iurisdiccions of euery of the Lordships Marchers, or seignories aforesayde, or the marchers of the same, as by the sayd Justice, Steward, or other officers shalbe appoynted, and then and there shall giue his and their personall attendance to doe euery thing which to him or them shall appertayne vpon paine of such fines, forfeitures, and amerciaments as shall bee assessed by the Steward, Justice, or other officer to the Quenes use, if

if it be within any of the Queenes Lordships Marches, and if it be within any other Lordships Marches, then to the vse of the Lord of the sayde Lordship Marcher for the time being. The sayde forfeitures and amercia-
ments to bee leuied by way of distress of the goods and cattels of euery person not appearing at the said court or courts, or not doing his due tie as is aboue said. 26. H. 8. 6.

103 **C** If the steward, lieutenant, or any other officer of any Lordship Marcher in Wales, doe saue, procure, or imagine any vntreue surmise against any person or persons that shall so giue their personall attendance before them at such Court or Courts where they haue rule or auctoritie, and vpon the same vntreue surmise, commit them to any dures or imprisonment contrary to the lawe, or contrary to the true and lawdable custome of that Lordship: Then vpon sute made vnto the Queenes commissioners or counsell of the Marches for the time being, by any such person or persons so imprisoned, or by any of their friends, the same Commissioners or Counsell shall haue full power to send for such Steward, Lieutenant, or officer, and also for the person or persons so imprisoned, and if the same person or persons so imprisoned, can evidently proue before the sayde Counsell by good and substantiall witnesses, or otherwise, that his imprisonment was vpon any fayned surmise, without cause reasonable, or lawfull, then the same Commissioners shall haue full power to assesse the sayde officer to pay to the sayde person or persons wrongfully imprisoned vi. s. viii. d. for euery day of their imprisonment, or more by the discretion of the sayde Commissioners, according to the hurts and behaviour of the person or persons imprisoned, and the same Commissioners shall set further fine vpon the sayd officer, to bee payed to the Queenes vse, as by their discretions shall bee thought conuenient. And in case the same officers doe refuse to appeare before the same Commissioners incontinent after any commandement to them directed, and deliuered after any such complaint made to the same Commissioners, then the same commissioners shall haue full power vpon euery default made by any officer or officers, to assesse and set vpon euery such officer or officers making default such fine or fines to bee leuied to the Queenes vse, as by their discretions shall be thought conuenient. And the same Commissioners shall haue full power to compell the sayde officer or officers by way of imprisonment, as well to pay such fine as shalbe taxed vpon them to the Queenes vse, as to pay vnto euery person or persons so imprisoned, such summes of money as they shalbe assessed to pay for their wrong imprisonment. 26. H. 8. 6.

103 **C** No person dwelling or resident within Wales, or the Lordships Marches of the same, of what estate, degree, or condition soeuer he be, coming or repairing vnto any sessions or court to be holden within Wales, or any Lordships marches of the same, shall bring, or beare, or cause to bee brought or borne to the same sessions or court, or to any place within the distance

If an officer im-
prisoning one
vpon an vntre-
ue surmise.

No weapon
shalbe brought
to Courts,
Faires, or
Churches.

of

of two miles from the same sessions of court, nor to any towne, churche, faire, market, or other congregation (except it be upon a hue or outcrie made of any felony, or robbery done) nor in the high wayes in affray of the Queenes peace of the Queenes liege people, any bill, long bowe, crossbow, handgun, sword, staffe, dagger, halberd, morispike, speare, or any other maner of weapon, pviue coate, or armour defensiuie, upon payne of forsaite of the same weapon, pviue coate, or armour, and to suffer imprisonment and make fine and ransom to the Queene by the discretion of the Queens commissioners of her marches for the time being, except it be by the commandement, licence or assent of the said Iustices, steward, or other officer, or of the commissioners, or counsel of the marches for the time being. 26. H. 8. 6. 4. H. 4. 28.

Gathering,
commonthes,
exactions &c.

104 ¶ No person or persons without licence of the sayd commissioners in writing, shall within Wales or the marches of the same, or in any shires adioyning to the same, require, procure, gather, or leuie any Commonth, Bi-dale, tenants ale, or other collection or exaction of goods, cattels, money, or any other thing vnder colour of marning, or suffering of their children, saying, or singing their first masses, or Gospels of any Priests or clerkes, or for redemption of any murder, or any other felonie, or for any other maner of cause by what name soeuer they shall be called, nor shall make or procure to be made any games of Running, Wrestling, Leaping, or any other games (the game of Shooting onely except) vpon paine of one whole yerres imprisonment of euery person or persons as shall gather or procure to bee gathered any such collection or exaction, or shall make or procure to be made any games as is aforesayde. And further they and euery of them shall make such fine, as by the discretion of the Queenes Commissioners of her Marches shalbe thoughte conuenient: And further the sayd Commissioners shall haue power to heare and determine the sayde offences by their examination. 26. H. 8. 6.

Procuring of
games.

Arthel.

105 ¶ No person or persons shall at any time cast any thing into any Court within Wales, or in the lordships marches of the same, by the meane or name of any Arthel, by reason whereof the Court may be letted, disturbed, or discontinued for that time, vpon paine of one whole yerres imprisonment of any such person or persons, as shall cast or cause to be cast any such Arthel into any court or courtes to be holden within Wales or the Lordships Marches of the same, any custome &c. notwithstanding. 26. H. 8. 6.

Where sessions
shalbe kept.

106 ¶ All sessions and courts to be holden within Wales or the Lordships marches of the same, shalbe kept within the most surest and peaceable place within the same Lordship marcher, where the said Iustice, steward, or other officer shall appoynt. 26. H. 8. 6.

Inquire in the
counties ad-
ioyning, of of-
fences comit-
ted within the
Lordship mar-
chers.

107 ¶ The Iustices of the gaole deliuerie, and of the peace, & euery of them for the time being in the shire or shires of England where the Q. writ runneth, next adioyning to the Lordship marcher or other places in Wales, where any counterfeiting, washing, clipping, or minishing of any Coppe cur-
rant

rant within this realme, or murder, shalbe committed or done, or where any other felonies or accessories shall bee committed, haue authoritie at their Sessions and gaole deliuerie to enquire by verdict of xii. men of the same shire or shires next adioyning within England where the Queenes writ runneth, there to cause all such counterfeiters, washers, clippers of money, felons, murderers, and accessories to the same to be indicted according to the lawes of this land, in like maner as if the same petty treasons, murders, felonies, and accessories to the same, had bene committed within any of the said shires, within the saide Realme, and also to heare, determine, and iudge the same, according to the lawes of this Realme. And all foynaine plects, pleaded by any of the said offendours, shalbe tried and determined in the same shire or shires. And the acquittall or fine making for any of the causes aforesaide, in any of the lordships marchers shall bee no barre for any person or persons being indicted in the said shire or shires within two peceres next after any such murder, or felony done, 26. H. 8. 6.

Foreign plects.

Acquittall in
Lordships
marchers.

108 ¶ The said Iustices of peace and gaole deliuey, and euery of them, haue authoritie to award all maner of proces, as well of outlawry, as otherwise, against all and euery such offendour and offendours so indicted, in maner, and forme, and according to the customes and Lawes vsed within this Realme of England. And the said Iustices or two of them before whom any such offendour shall happen to be outlawed or attainted by belagarie, shall immediately vpon the same belagary or attainder, direct, and send vnto the Queenes officers of her lordships marchers, or to their deputie, or vnto the lord or lordes marchers of the same lordship marcher, or to his or their officer, or officers, or to their deputies, where in such offence, murder, or felony shall happen to be done, or where any such offendour, murderer, or felon shall happen to be resiant, a certificat vnder the seales of them, or two of them, of any such belagary or attainder, commaunding them and euery of them by the same, vnder paine of forfaiture of C. li. to the Queene, to be leuied and perceiued as well of the goods, cattels, lands, and tencments of the same lord or lordes marchers, as of the goods, and cattels, lands, and tencments of the Queenes officer there: to apprehend and attach, or cause to be apprehended and attached the body or bodies of the same offendour or offendours so outlawed or attainted, and safely to keepe, or cause to be kept the same offendour or offendours, till such conuenient time, before the next Sessions of the Q. Iustices of her gaole deliuey of the shire where such offendour or offendours shall happen to be outlawed or attainted, as to the Q. officer of her Lordships marchers, or to their deputies, or vnto the Loyde marcher, or lordes marchers of the same lordship marcher, or to his or their officer or officers, or their deputies where such offendour or offendours shalbe apprehended, attached, detained, & kept, shalbe thought expedient for the conuenance, and conduction of the same offendour or offendours, in maner & forme following, to bee deliuered from the Queenes officers or their deputies, or the Loyde

Proces of
outlawry as
gaunt persons
indicted.

Certificat of
Outlawry.

Conueyance
of offenders
from one lord-
ship marcher
to another.

Marcher, or the Lords marchers, or his or their Officer or officers to other persons assigned by this acte, to receiue and conuey such offender or offenders by Indenture to be made betweene the deliuerer or deliuerers, & the receiuer or receiuers: That is to say, the Queenes officer of her Lordship marcher, or their deputies, or the Lord or lords Marchers of the lordship Marcher, or his or their officer or officers, or their deputies, where such offender or offenders shall be apprehended, attached, deteined, and kept, shall safely conduct and conuey, or cause to be conducted and conueyed the same offender or offenders to the next Lordship marcher toward the Shire where the same offender or offenders shall happen to bee outlawed or attainted. And the Queenes officers of the same Lordship Marcher or their deputies, or the Lord or lords marchers of the same Lordship marcher, or his or their officer or officers, or their deputies, shall receiue and safely conuey the same offender or offenders to the next Lordship marcher. And so the Queenes officers of euery Lordship marcher or their deputies, or the Lord or lords marchers of the same Lordship, or his or their officer or officers, or their deputies, to receiue and conuey safely euery such offender or offenders from one Lordship marcher to an other Lordship marcher by indenture, as is aforesaid, vnto the time that such offender or offenders shalbe safely deliuered before the said Iustices of the gaole deliuey, vpon paine of forfaiture by euery of the Queenes officer or lord marcher, (by whose default the same offender or offenders shall ne may not appeare before the same Iustices at their said Sessions, there to stand and abide the order of the Queenes lawes) C. li. to be leuiued and perceiued of the goods and cattels, lands and tenements of the same officer or Lord, to the Queenes vse. And all and euery officer and officers, Lord and lords, or other persons to whom any certificat shalbe directed, as is aboue saide, shall at the next Sessions and gaole deliuerie to be holden after the apprehension, or attachment of such offender or offenders, returne the same certificat in due forme, and what hee or they haue done in that behalfe vpon the paine aforesaid. Sauing alway to all and euery offender and offenders, all & singular traueses, challenges, exceptions, advantages, and all other plees, to, of, and vpon the outlawry pronounced against the same offender or offenders, in maner and forme, as is, and hath bene vsed by the lawes of this Realme, for any the Queenes subiects dwelling within the same Realme. 26. H. 8. 6.

Returne of
the Certificat.

All aduanta-
ges saued to
the offender.

No liberties
of any lord
marcher as
vnto.

109 ¶ This acte shall not extende to abridge or depriue any liberties, priuiledge, or authoritie of any Lord marcher, heretofore graunted to the same Lord, or lawfully vsed or accustomed by the saide Lord or any of his auncestors, vnlesse the aforesaid offenders happen to bee indicted, outlawed, arraigned, conuicted, or attainted by force of this acte, as is aboue sayd, within two yeeres next after such murder or other felonious offence committed, within the saide Lordship marchers, or any of them, any thing in this acte, &c. notwithstanding, 26. Hen. 8. 6. Quare whether the vse of these three

latter

latter branches, of this Statute of 26. Hen. 8. be taken away by the annexing of the Lordshippes Marchers to certaine Counties in England and Wales,

110. ¶ All murders, robberies, felonies, and accessories to the same which shall happen to be committed within the shire of Merioneth in Wales, shall and may be inquired, heard, and determined in the Courtes of Carnaruan or Anglesey, before the Queenes Justices of Northwales, or their deputie for the time being, by verdict or enquest to be taken by the inhabitants of the same shires of Carnaruan, and Anglesey or otherwise, if by discretion of the Justice there or his deputie, it shall be thought convenient. And the same Justice or his deputie for the time being, shall have full power by his discretion by force of this acte, to heare and determine all and every the foresaid murders, felonies, robberies, and accessories, in forme aforesaid, 26. Hen. 8. 6. But see the Statute 34. Hen. 8. that the foresaid act, and every article therein contained shall take effect and be executed in all points, for and concerning any of the said offences done within the Countie of Merioneth to be inquired of, heard, and determined within the Countie of Salop, in like maner and forme as commonly is and hath bene used for any of the same or like offences committed within any other countie or place of South Wales.

Felonies committed in Merioneth.

111. ¶ Every officer and officers, and their deputies, upon commandement given by the commissioners or counsell of the Marches for the time being, shall bring, sende, or deliver every offender (which doeth commit any murder, robbery, or felony, within the Lordships marches of Wales, or in other places of Wales, without the same Lordships marches, and doeth flee and escape from the same Lordship or other place, where such offence was committed, and repairerth into an other Lordship marcher) to the officer of the Lordship marcher or other place, where any such offence shall be committed or done upon the metes and bounds of the said Lordships, or to the saide Commissioners or counsell according as the saide officers by them shall be commanded, under paine of xl. li. the same commaundement or commission to be directed to any such officer to be sent, conveyed, and delivered by a sergeant at Armes, or pursuivant, attendant on the saide Counsell in the Marches, for the time being, 26. H. 8. 6.

Where and to whom any offender shall be committed.

112. ¶ All such unlawfull customes, as have bene used in severall Forests in Wales, and the Marches of the same (for the taking of unlawfull exactions of any of the Queenes subjects which passe, goe, or ryde through, or in any way or path of any of the said Forests, not having upon him a token delivered unto him by the chiefe Foresters, Rulers, or Farmers: Or to take any such money and golde, as shall be found upon him which is taken by the space of xxiii. foote out of the high way in any of the sayd Forests, or to cause the same person so taken out of the high way, to lose a ioynt of one of his hands, or to make fine therefore with the Foresters, Rulers, &c.

Exactions taken in Forests in Wales.

at their will and pleasure. Or for any Foresters, Rulers, walkers, or Farmors, unlawfully to seise and take any Beastes or quicke cattell, and to marke them with the marke of their Forests, which doe happen to come, goe, or escape into any of the said Forests, by stray, or theefe stolen, or otherwise) shall bee determined by orde, and had for nought, throughout all and euery of the said Forests within Wales, and the Marches of the same. And it shalbe lawfull to all and euery of the Queenes true subiects, and all other person and persons being in league and amity with our Soueraigne Lady the Quene, her heires and successours, Kings or Queenes of England, freely, quietly, and in peace to passe and repasse, trauaile and goe into and throughout the saide Forests and euery of them, both on horsebacke and on foote, aswell following and bytuing of cattell, as with carryng of wares, or otherwise about their lawfull businesse and affaires, without any fine, forfaiture, colle, custome, exaction, or other imposition to be taken, exacted, or demanded of them, or any of them, by the saide Foresters, Rulers, walkers, Farmors, or their assignes. And if it shall chaunce any of the sayde Foresters, rulers &c. at any time to take any person or persons, bring the Queenes true subiects, or otherwise in league and amity with our Soueraigne Lady, her heires or successours, Kings or Queenes of England, as is aforesaide, and exact and take of them, or of any of them, any of the sayde forfaitures, fines, tolles, customes, or exactions, as is aboue mentioned, and be thereof lawfully conuicted: Then he or they so doing and offending contrary to this acte, to incurre and stande in danger of the statute heretofore pprovided for robberies by the Queenes high way, and the same to be tried before the Iustices of the peace in the next shire adioynant, according to the law of this Realme of England. 27. H. 8. 7.

23. H. 8. 1. See
Clurgp. 12.

Redelivery of
strates or chiefes
stollen goods.

113. ¶ If any maner of beast or quicke cattell of any of the Queenes true subiects, or other the Queenes friends, at any time doe come into any of the said Forests by strapes, theefe stolen, or otherwise, and there be marked and seised of any of the said Foresters, rulers, walkers, farmors, or their assignes, or any of them, and the owner or owners of the same cattell, within any one yeere and a day then next ensuing, chaunce to finde the said cattell so taken, and lawfully pprove the same to be his or their owne proper cattell, then the same cattell shalbe redelivured to the owner or owners thereof, according to the auncient lawe of this Realme of England, the said owner or owners reasonably paying for the keeping of such cattell, after the rate of the time, that such cattell shal haue bin in the custody of any such foresters, rulers &c. or his or their assignes, in such maner and forme, as heretofore hath bene in like case used to be done by the owners within a yeere and a day next after the seiling of the same cattell. And if any of the said Foresters, rulers, &c. or their assignes doe deny the delivurance of any such cattell, by them, or any of them so seised or marked within any of the saide Forests, after the owner and owners of them, shall haue duely and lawfully pproved them to be

be his or their owne proper goods or cattels, as is aforesaid: Then euery such Forfeiter, Ruler, walker, farmor, or their assignes so doing and offending contrary to this acte, shall forfeit and pay vnto the partie grieved, the double value of all such cattell, as shalbe so taken and marked, and not deliuered to the owner or owners as is aforesaid. And the partie grieved may haue his action of Detinue at the Common lawe, of and for the same cattell against euery such offendor or offendors, and the same to be tried in the next shire adioynant, wherein no wager, Essoigne, &c. And like processe of ouelawzie shalbe had and made in the said action of Detinue in the next shire adioynant against euery Forfeiter, Ruler &c. or their assignes, so offending contrary to the tenor of this act, as in an action of trespassse at the Common lawe of this Realme is vsed. 27. H. 8. 7.

Item 14 ¶ Forthwith vpon the charge giuen to any Enquest to bee taken and swoyne befoze any Iustices, Stewarde, Lieutenant, or other officer within Wales, or the Marches of the same, of, for, and vpon any trauesse against the Queene, or the triall of any Recognisance broken, or any other forfeiture forfeited to the Queene, or of, for, and vpon the triall of any murderer, felon, or accessary of felony or murder: One officer or other person shall bee deputed, and swoyne in the presence of the saide Iusticiar, or other officer, for the true and diligent keeping of the same Iuroys. And the same Officer or other person so swoyne, without the special commaundement of the saide Iusticiar, or other officer, shall not doe, or suffer to bee ministred to the same Iuroys, any bread, drinke, or meate, fire, or light, nor shall suffer the same Iuroys to speake to any person or persons, nor the same officer or other person swoyne, without the commaundement aforesaid, shall not speake to the saide Iuroys, but onely to demaunde of them of their agreement, vnto such time as the same Iuroys shall haue giuen their verdict, any vsage or custome heretofore vsed to the contrary notwithstanding. And if the same officer or other person so swoyne in forme aforesayde, doe not execute and accomplish the premisses in the othe befoze rehearsed, in euery point and article: Then hee shall bee punished and imprisoned, and make fine and raunsome to the Queene, by the discretion of the sayde Iusticiar, Stewarde, Lieutenant, or other Officer. 26, Hen. 8. 4.

It baily for
keeping of a
Iury.

Item 15 ¶ If the same Iuroys doe acquite any such felon, murderer, or accessarie, vpon whose triall they shall bee charged, or giue any untrue verdict against the Queene vpon the tryall of any trauesse, recognisance, or other forfeiture, contrary to the good and pregnant euidence ministred to them by persons swoyne befoze the saide Iusticiar, Steward, Lieutenant, or other officer, or that the saide Iuroys, or any of them doe eat, drinke, or speake to or with any person or persons, then to such as bee swoyne with them, or otherwise misdoemeane themselves, after they be swoyne, and befoze they haue giuen their verdict, then the Lorde President, or other the

Untrue ver-
dict.

Counsell of the Marches for the time being, vpon notice or complaint thereof to bee made, shall not onely haue authoritie to call such Iuroys before them, but also the same Iusticiar, Steward, or other officers afoze whom any such acquittall, vntreue verdict, or misdemeanors shall happen to bee made shall haue full power to compell such Iuroys and euery of them vpon paine of imprisonment, to bee bounden by recognisance in a certaine summe of money by their discretion to bee limited, that the same Iuroys and euery of them shal personally appeare at a certaine day by the same Iusticiar, Steward or other officer to be limited before the Loyde President, and other of the Counsell aforesaide, for the time being, then and there to abide and stand to such direction and order, as the same Counsell shall make, ordeine, and decree, of, in, and vpon the same. And the same counsell shall thereupon haue authoritie by examination or otherwise, to heare and determine all and euery such cause, and shall haue like authoritie to commit euery of the same Iuroys to prison, or other punishment, as shall bee thought meete by the discretion of the said Counsell, or otherwise assesse or take euery such Iuroy to his fine or raunsome by the same discretion, to bee payde and leued of their landes, goods, and cattels to the vse of the Queene. 26. Hen. 8. 4.

A Burgesse
for Haverford
west.

116 ¶ The towne of Haverford west shall for ever, sende one Burgesse for the saide towne at euery Parliament to be holden in England, and the charges of the same Burgesse shalbe alwayes borne by the Mayor, Burgesles, and inhabitants of the said towne, and none other. 34. H. 8.

Knights and
Burgesses for
the Parliamen-
ment.

117 ¶ For all Parliaments to be holden for this Realme, one knyght shalbe chosen to the same Parliaments for euery of the shires of Dyeknock, Radnor, Pountigomerie, & Denbigh, and for euery other shire within the said countrey of Wales, and for euery borough being a shire towne within the saide countrey of Wales, one Burgesse (except the shire towne of the countie of Merioneth) and the election to be in like maner, forme, and order, as Knights and burgesses of the Parliament be elected in other shires of this realme (and to be named and chosen by the authoritie of the Queens wytt, vnder the great seale of England. 34. H. 8.) and the Knights and burgesses, and euery of them shall haue like dignitie, prebeminence and priuiledge, and shalbe allowed such fees, as other Knights of the Parliament haue and be allowed, and the knights fees shalbe leued of the commons of the shire that they be elected in, and the Burgesles fees shalbe leued, and gathered as well of the boroughs, and shire townes, that they be Burgesles of, as of all other auncient boroughs within the same shire. 27. H. 8. 26.

The wages of
knights of the
Parliament.

118 ¶ The Shyriues for the time being of euery of the xii. Shires in Wales, and in the countie of Donmouth, haue authoritie to gather, and leue, or cause to be gathered, or leued, the knights fees or wages, of the inhabitants of the xii. shires, and of the said countie of Donmouth, which ought to pay the same, and the same so gathered, shall pay, or cause to be payen to euery

euery such Knight, or knights, or to his or their assignes, within two moneths next after such Knight or knightes shall deliuer or cause to bee deliuered the Queenes Witte De solutione feodi militis parliamenti to any such Shire, and euery such Shire making default of paymēt of the fee or wages in maner and fourme aforesaide, shall forfait to the Queene and J. xx. li. and if any Shire in any of the said shires and countie shall make default of payment of the saide wages &c. by a longer time then two moneths, then he shall forfait for euery moneth that he shall make default xx. li. to be forfeited and leuied in maner and fourme aforesaid. 35. H. 8. 11.

119 ¶ Euery Shalor and Bailife, and other head officers of cities, boroughs and townes in euery of the said shires and countie of Donmouth within like space of two moneths after the receipt of the Queenes Witte De solutione &c. shall leuy, gather and pay the wages & fees to their Burgeses, in maner and fourme aforesaide, and in and vnder like paines and forfeitures as is before mentioned, to be leuied of the goods and cattels of euery such Shalor, Bayliffe, and other head officer (to whom the Queenes sayde witte shalbe directed for the leuying of such fees) making default of payment of the same to the Burgeses &c. 35. H. 8. 11.

The wages of Burgeses of the Parliament.

120 ¶ Because the inhabitants of all Cities and boroughs in euery of the shires in Wales and in the Countie of Donmouth, not finding Burgeses for the parliament themselves, must beare and pay the Burgeses wages within the Shire townes of and in euery the saide shires and countie: the Burgeses of euery of the said Cities, boroughs & townes which be contributorie to the payment of the Burgeses wages of the saide shire townes, shall be lawfully admonished by Proclamation, or otherwise by the Shalors, baylifes, or other head officers of the saide townes, or by one of them, to come and to giue their elections for the electing of the sayde Burgeses, at such time and place lawfull and reasonable, as shalbe assigned for the same intent, by the said Shalors, baylifes &c. of the saide shire townes, or by one of them, in which election the Burgeses shall haue like voice and authoritie to elect, name, and chose the Burgeses of euery of the sayde shire townes in such maner as the Burgeses of the saide shire townes haue, or vse. 35. H. 8. 11.

By whom Burgeses of the Parliament shalbe chosen.

121 ¶ Two Iustices of peace in euery shire in Wales and in the countie of Donmouth haue authoritie indifferently to lotte and take euery City, borough, and towne within the said shires and countie wherein they doe inhabit, for the portions and rates that euery of the said Cities and boroughs shall beare and pay towards the Burgesse within the saide shire townes of euery of the said shire and counties, which rates so rated & taxed in grosse by the said ii. Iustices, shalbe againe rated & taxed on the inhabitants of euery of the saide Cities and boroughes by iii. or vi. discrete and substantiall Burgeses of euery of the saide Cities and boroughes in Wales thereunto named and assigned by the Shalor, Baylifes, or other head officers of

Rating of boroughs for the Burgeses wages.

the said Cities, townes and boroughs, for the time being, and thereupon the Mayor, Bailiffes &c. of every such Cite, Borough &c. shall gather the same, and thereof make payment to the Burgesles of the parliament, within like time, and vpon like paines and forfaiture as is aforesaid. 35. H. 8. 11.

Lordes marchers
tenants
under common
maynprise
prie.

122 ¶ Because Lordes Marchers in times past haue vsed to put their tenants within their Lordships marchers, under common maynprise and suertie of apparance, and haue had the forfaiture thercof (which for euer shall utterly cease and determine. 27. H. 8. 26.) Therefore as well the Queenes Spirituall and Ecclesiasticall subiects, Lordes marchers, hauing lordships marchers, or lordships royall in Wales, and their successors, and the successors of euery of them, as also the heires and successors of the Lordes temporal marchers within their Lordships marchers and Lordships royall in the dominion or principallitie of Wales, shall haue and enioy to them and to their heires and successors respectiue and seuerally for euer, the moitie and halfe of euery forfaiture of all and euery common maynprise, recognisance for the peace, or apparance forfeited by any their tenants, inhabiting within any of their Lordships marchers, or Lordships royall, and they to be payed the same moitie by the hands of the shirifes of euery of the saide Countie where such forfaiture shall be, if the shirife can leuie the same, and the same shirife to accompt to the Queene for the other moitie, and further shall haue all such mysfes and profits of their tenants as the Lordes marchers spirituall or temporal respectiue or seuerally, had or vsed to haue, at their first entrie into their lands in times past, before the making of the said statute, and also shall haue, hold, and keepe within the precinct of their said Lordships, al such Courts Barons, Courts Leete, and lawdayes, and all and euery thing and things to the same Courts belonging, and also shall haue within the precinct of their said seuerall lordships or lawdayes, all such wayfe, strayfe, infangtheefe, outfangtheefe, treasure troue, deodands, goods and cattels of felons, and of persons condemned or outlawed of felony or murder, or put in exigent for felony or murder, and also al such wecke de meare, wharfage and customes of strangers, as the Lordes marchers, Spirituall and temporal respectiue and seuerally had and vsed in times past before the making of the said statute of 27. H. 8. 1. & 2. H. 8. 15. vide ante. 75.

L. marchers
retain their
priviledges.

Tallage.

123 ¶ The tenants and residents in Wales shall pay their tallage at the change of their Lords, in such places and after such forme as haue bene accustomed in Wales. 34. H. 8.

Subsidies.

124 ¶ All the Queenes subiects and residents in Wales shall be charged and chargeable to all subsidies, and other charges to be granted by the commons of any Parliament holden in England, and shall pay all other rents, farmes, customes, & dueties to the Queene as they haue bene accustomed (fines for redemption of Sessions onely except) 34. H. 8.

125 ¶ The Bishops of Hereford, S. Davies, Aylaph, Bangor, and Landaph, and their successors, shall take such order amongst themselves for the

the soules health of the flockes committed to their charge within Wales, that the whole Bible containing the New testament and the Olde, with the booke of Common prayer, and administration of the Sacraments, as is now used within the realme in English to be truly and exactly translated into the British or Welsh tongue, and that the same so translated, being by them viewed, perused, and allowed, be imprinted to such number at the least, that one of either sort may be had for euery cathedrall, collegiat, and parish church and chapell of ease, in such places and countreys of euery of the said diocesses where that tongue is commonly spoken or used, before the first day of March, An. Dom. 1566. And that from that day forth, the whole diuine seruice shalbe used and said by the curates and ministers throughout all the said diocesses where the Welsh tongue is commonly used, in the said British or Welsh tongue, in such maner and forme as is now used in the English tongue; and differing nothing in any order or forme from the English booke. For the which books so imprinted, the parishioners of euery of the said parishes, shall pay the one halfe or moitie, and the parson and vicar of euery of the said parishes (where both be) or els the one of them, where there is but one, shall pay the other halfe or moitie. The prices of which books shalbe appointed and rated by the said bishops and their successors, or by three of them at the least. The which things if the said bishops or their successors neglect to do, that then euery one of them shall forfeit to the Queenes Maiestie, her heires and successors, the summe of xl. li. to be leuied of their goods and cattels. 5. El. 28.

The Bible and booke of common prayer conuerted into the Welsh tongue.

126 ¶ And one booke containing the Bible, and one other booke of Common prayer in the English tongue, shall be bought and had in euery church throughout Wales, in which the Bible and booke of Common prayer in Welsh is to be had by force of this act (if there be none already) before the first day of March 1566, and the same books to remaine in such convenient places, within the said churches, that such as vnderstand them may resort at all convenient times to reade and peruse the same. And also such as do not vnderstand the saide language, may by conferring both tongues together, the sooner attaine to the knowledge of the English tongue. Any thing in this act &c. notwithstanding. 5. El. 28.

A Bible and booke of Common prayer in English, shall be in euery church in Wales.

¶ In the time of King Henric the fourth, it was provided by seuerall statutes, that no Welsh man (except he were a bishop, or a temporall lord) should haue any castle, fortress, or house defensible of his owne, but such as had bene used in the time of King Edward the Conquerour of Wales, nor that any Welshmen shoulde be made Iustice, Chancellor, Chamberleine, Treasurer, Shirife, Steward, Constable of castle, chiefe foster, nor other officer, nor Lieutenant, in any of the said offices in any part of Wales, nor of counsell with any English lord (bishops and such as were tried faithfull and obedient subiects except) nor that any English man married to any Welsh woman, should be put in any office in Wales, nor should haue

Wards, Wardships, Mariage.

haue any franchises with English burgeses, nor that any person shoulde carrie any vitaille or armour into Wales, without the Kings or Councils licence: sauing to store the English castles and townes, nor that any English man should be conuict by any Welsh man in any court in Wales, but by English men of the next venue, and of good fame, nor that any Welsh man should purchase any land in England, or in English townes in Wales, nor shoulde be burgesse or haue any other libertie within any of them. But it seemeth that the force of those statutes is taken away by the statute of 27.H.8.16. Therefore see the first branch of this title and Quare.

Quare.

1 For exigents and other proces for and against any persons dwelling in Wales. S. Exigents 6.9.

2 That Shirifs in Wales shall haue deputies in the Kings bench and Common place. S. Exigent 7.8.

3 That a Tales De circustantibus is to be granted in the twelue shires in Wales. S. Jurors 27.

4 The act prouided for Tanners, Curriers, Shoormakers &c. shall be construed to extend to Wales, as ampie as it doth to England. 5. El. 8.

5 In what sort Mortuaries shalbe payed in Wales and the Marches. S. Mortuaries 5.

6 For the trial of treasons & misprision of treason committed in Wales, or the marches thereof. S. Treason 12.

7 For money payed in Wales for the redemption of forfeitures. See Rents 1.

8 For the authoritie of commissioners of Sewers in the countie of Glamorgan in Wales. S. Sewers 6.

9 For the inrolling of fines & recoueries in the twelue shires in Wales, and in the towne and countie of Hauerford West &c. S. Fines 29. &c.

Wards, Wardships, Mariage.

26 tenant en-
feoffeth his
heire to defeat
wardships.

If any man do enfeoffe his eldest sonne or heire, being within age, of his Inheritance, that thereby the lord might lose his wardship, yet notwithstanding such feoffment, the chiefe lord shall haue his wardship. Marleb. 52.H.3.6.

Fraudulent
countenance to
defeat the lord
of wardship.

2 **E**f any persons meaning to deuise their lands for terme of certeine yeeres (that they might thereby defeat the lordes of the fee, of their wardships) will saue false feoffments, concerning that they are satisfied of the whole service due vnto them vntill a certeine terme, and that such feoffees are bound to pay at the said terme a great summe to the value of the same lands, or much aboue, so that after the same terme the land shall reuert to them or their heires, for that no man will desire to holde the same of so great a price, yet by such fraud no chiefe lord shall lose his wardship. But it is not lawfull for such lordes to disseise the feoffees without iudgement thereupon giuen, but they shall haue a writ to haue the wardship deliuered vnto them,

and

and then it shalbe tried by the witness named in the deed of feofment with other good and free men of the countrey, by the quantitie and value of the land, and the quantitie of the summe payable after the terme, whether such feofments were made in good faith, or by fraude to defcat the lord of his wardship, and if the chiefe lords do by iudgement of the court recouer their wardship, yet the feoffers shal haue their action reserued to recouer their terme or fee when the heires shal come to their lawfull age. And if any chiefe lords doe maliciously implead such feoffers, faining this case where the feofments were made lawfully and in good truth, then the feoffers shal haue their dammages and costs awarded vnto them, which they sustained by reason of the foresaid sute, and also the plaintiffs shalbe grievously amerced. Marl. 52. H. 3. 6. S. 24.

Electione custodia.

3. ¶ After an heire hath becne in ward, when hee is come to full age of one and twentie peeres, hee shal haue his inheritance without reliefe and fine, so that if such an heire being within age be made knight, yet his land shal remaine in the lords custodie vntill the terme aforesaid. Magn. Chart. 9. H. 3. 3.

After wardship no reliefe nor fine. If ward made knight.

4. ¶ If any lay man, friend, or other, do with force against the Queenes peace withholde, lead away, or marry any heire vnder the age of foureteene yeres, and is thereof conuict, he shal pay to the partie from whom the said heire is taken, the value of the marriage, and shalbe imprisoned vntill he hath payed the said value, if the childe be married, and also vntill he hath satisfied the Queene for the trespass. Merton. 20. H. 3. 6. West. 1. 3. Ed. 1. 22. S. Women. 6. 7. 8. 12.

Rauiishment of ward.

5. ¶ Hee which doth rauish and take away any man or woman childe (whose marriage belongeth to another) hauing himselfe no right in the same marriage, although hee do after restore the childe vnmarrried, or doth make satisfaction for the marriage, yet shall he be two yeres imprisoned for his offence, and if he do not restore the heire, or do marrie him after the yeres of consent, and is not able to make satisfaction for the marriage, he shall abjure the realme, or haue perpetuall imprisonment, and thereupon the plaintife shall haue a writ of Rauiishment of ward. And if the heire chance to die before he be restored, or can be found, yet the sute shall proceed betwixt them vntill it be tried who ought to haue had the marriage if he had bene liuing, for the wrongfull rauisher of such a ward shall not be excused or eased of his punishment by the death of the heire, which hee did wrongfully withholde during his life. And if the plaintife doe die before the sute be determined betwixt them, if the right did belong vnto him by reason of his owne proper fee, the plee shall be resummoned at the sute of the plaintiffs heire, and shall passe in due order: but if the right did belong vnto him by reason of any other title, or by gift, sale, or such like, then the plee shalbe resummoned at the sute of the plaintiffs executors, and shall passe &c. In like sort, if the defendant die before the pleg be determined, or the heire restored, the sute shall proceed

Rauiishment of ward.

The heire dies.

The plaintife dies.

proceed

Wards, Wardships, Mariage.

- The defendant
dies.** proceed by resummons betwixt the plaintife or his heire, or executors, and the executors of the defendant, or his heires, if the executors be not sufficient as concerning the satisfaction of the value of the mariage, but not to the imprisonment (for in that sort one man shall not be punished for anothers offence.) In like sort when any writ De communi custodia dependeth betwene parties for the ward of an heire of land, or of both, or any writ De electione custodie, resummons shalbe made betwene the heire and executors of the plaintife, and the heire and executors of the defendant, if death preuent any of the parties before the sute determined, in which writte of Communi custodia, when the sute is come to the great distress, there shall be a tyme given, wherein there may be holden thre counties at the least, in euery of which counties there shall be open proclamation made that the defoiges shall appeare in the Common place at the day contained in the writ to answer the plaintife, or which day if he doe not appeare, and the proclamation be so testified, the first, second, and thirde time, iudgement shall be giuen for the plaintife, saving the defendants right if he will at another time defend the same. In the same maner it shalbe done in an action of trespassse, when any man complaineth himselfe to be eiekt from such wardshippes. *West. 2. l. 3. Co. l. 35.*
- Electione custodia.** 6. ¶ If any heire being aboue xlii. yerres of age, and vnder xxi. marrie without the licence of his lord, to defeat him of his marriage: and the lord doe offer him a reasonable and conuenient marriage (without disparagement) then his lord shall retaine his land aboue his age of xxi. yerres, so long that he may thereof receiue the double value of his marriage, according to the estimation of lawfull men, or according to that he hath bene offered before, without fraud and malice for the same marriage, and according to that it may be pproved in the Queenes court. *Merton. 20. p. 3. 6. West. 1. 3. Co. l. 22.*
- Communi custodia.** 7. ¶ If an heire (of what age soeuer he be) will not marrie at the L. appointment, he shall not be thereunto compelled, but when he commeth to his full age, he shall satisfie his lord of so much as he might haue receiued of another for his marriage, before he shall haue his land, and that shall he doe whether he will marrie himselfe or not, for that the marriage of an heire within age is due to the lord of the fee. *Merton. 20. p. 3. 7.*
- Forissatura
maraggi.** 8. ¶ If a gardian of chiefe lord enfeoffe any man of land which is the inheritance of a childe within age, and in his ward, to the disheritance of the heire, the heire shall forthwith haue his recouerie by Assise of nouel disseisin, against his gardian and against the tenant, and the seisin shalbe deliuered by the Iustices, (if it be recouered) to the next friend of the heire to whom it cannot descend, for to improue to the heires use, and to answer the issues to the heire when he commeth to full age, and the gardian shall lose during his life, the wardship of the thing recouered, and all the residue of the inheritance which he holdeth in the name of right of the heire, and if any other
- Valore maraggi.**
- Si remediū
where the
gardian may
hath a seoffment
of the
heires lands.**

other gardian then the chiefe L. doe it, he shall lose the custodie of a l. that thing, and shall be grievously punished by the Queene: and if an infant be caried away or disturbed by the gardian, or by his scoffer, or any other, by reason whereof he cannot sue his assise, one of his next friends, that will, shall be allowed to sue for him. *West. 1. 3. Ed. 1. 47.*

*Sue per pro-
chain any.*

9 ¶ If any heire after the death of his ancestor be within age, and his L. hath the wardship of his lands, if his L. will not deliuer him his lands when he cometh to full age without sute in law, the heire shall recouer his land by Assise of Mortdancester, with the dammages that hee hath sustained by the withholding thereof since the time he was of full age. And if an heire at the time of the ancestors death be of full age, and is heire apparent and known for heire, and found in the inheritance, the chiefe lord shall not put him out, nor take, nor remoue any thing there, but onely shall take simple seisin for confession of his seigniorie, that hee may be known to be lord, and if the chiefe L. doe maliciously holde such an heire out of possession whereby he is driven to purchase an Assise of Mortdancester, or writ of Co-sinage, then he shall recouer his dammages as in assise of Nouel disseisin. *Marl. 52. P. 3. 16.*

*It remedie for
the heire of
full age to re-
couer his land
from his lord.*

*The heire of
full age at the
death of his
ancestor shall
onely pay res-
tute.*

10 ¶ The gardian of an heire within age shall take of the heires lands but reasonable issues, customes, and seruices, without destruction & waste of his men, and other commodities, and so long as he hath the wardship of the same heire, he shall mainteine his houses, parks, stables, pooles, milles, and all other things belonging to the same lands, with the profits of the same, and shall deliuer to the heire when he cometh to full age, his ground sowed with ploughs and all other things, (at the least as hee receiued it) *Mag. chart. 9. P. 3. 5.* And if a gardian doe commit waste, hee shall lose the wardship, and if the losse of the wardship untill the full age of the heire be not sufficient to recompense the dammages of the waste, hee shall also answer to the heire dammages, *Glocest. 6. Ed. 1. 5.*

*The gardian
shall make no
waste of the
heires lands.*

11 ¶ The gardians of an heire within age which holdeth his land in socage, shall commit no waste, destruction or sale, in the same inheritance, but shall safely keepe it to the vse of the heire, so that when hee cometh to his full age, they shall make him account, and answer him of the issues of the same land: Saving to them their reasonable charges. Neither may the same gardians giue or sell the wardship of the same heire, but onely to his profit. *Marl. 52. P. 3. 17.*

*Gardian in
socage.*

12 ¶ If the lord of an heire female to whome the marriage belongeth will not marrie her after she hath accomplished the age of foureteene yerres, but for couetous lucre of the land will keepe her unmarried, he shall not haue nor keepe by reason of marriage the land of such heire female more then two yerres after the said terme of foureteene yerres, and if the lord within the said two yerres do not marrie her, then she shall haue an action to recouer her inheritance, without giuing any thing, for her wardship or marriage. *West. 1.*

*At what age
an heire female
shall be out of
ward.*

VVards, VVardships, Mariage.

3. Ed. 1. 22. But the law of the realm is, that if a woman be of the age of fouretene yeres at the time of the death of her ancestor, she shall haue liuerie of her lands descended vnto her. 39. D. 6. 2.

The heire female refusing marriage, the lord shall be satisfied with the land.

13. ¶ If an heire female of malice, or by euill counsell will not be married by her chiefe lord where she shall not be disparaged, then her L. may re-
ceiue her land and inheritance vntill shee hath accomplished the age of an
heire male, vz. of xxi. yeres and aboue, vntill he hath receiued the value of
her marriage. West. 1. 3. Ed. 1. 22.

Minoritie of
testament ge-
neth title of
wardship.

14. ¶ If one inheritance descend to any infant within age of the fathers
side, which held of one lord, and another of the mothers side, that held of an-
other lord, that lord shall haue the marriage, of whome the childes ancestor
was first enfeoffed, without hauing respect to the sexe or quantitie of the
land, but onely to the moxe ancient seoffment by knights seruice. West. 1.
3. Ed. 1. 16. 28. Ed. 1.

Disparagement
of the heire.

15. ¶ If any lords do marry those which they haue in ward, bring with-
in the age of xiiii. yeres (so that they cannot consent to marriage) to bi-
laines or other such kinde of borough men, where they are disparaged, then
if the wards friends do complaine thereof, the lord shall lose the wardship
vntill the full age of the heire, and the profit that shalbe thereof taken, shalbe
conuerted to the vse of the heire which is within age, according to the dispo-
sition of his friends, for the same which is done vnto him, but if he be of the
age of xiiii. yeres and aboue, so that he may, and do consent to such marri-
age, no paine shall follow. Merton, 29. D. 3. 6.

Who shall be
gardian in
sorage.

16. ¶ If any land or inheritance holden in socage descend to an heire of
his mothers side, then the wardship of the same heire belongeth to the next
friend of the fathers side, &c conuerso. 28. Edw. 1. Stat. de wardis &
releuijs.

Wardship of
the which hold
by knights ser-
uice in chiefe
of the L.

17. ¶ The Queene shall haue the wardship of all their landes which
holde of her in chiefe by knights seruice, whereof the tenants were seised in
their demesne as of fee, the day of their death, of whomsoever they holde by
like seruice, so that they held of ancient time any landes of the Queene as
of her crowne, vntill the heire come vnto his lawfull age (except the fees
of the Bishops of Canturburie and Durham, betweene Tine and Teese,
and of Earles and Barons of the Marches &c.) Prærog. Regis. 17. Ed. 2.

How s meane
lords shall be
answered their
chiefe rent dur-
ing the heires
minoritie.

1. And therefore because the Queene shall haue aswell those landes which
be holden of others, as which be holden of her selfe, whereof her tenant died
seised during the minoritie of the heire, and vntill he hath sued liuerie, such
mesne lords during such minoritie, shall receiue the rents due to them for
the same landes holden of them by the hands of such of the Queenes officers
as be appointed to receiue and take the profits and reuenues of the same
landes so holden, of such mesne lordes, during the minoritie of such heire,
and vntill he sue his liuerie. And such heire vntill he shall or conveniently
might haue sued his liuerie, shall be thereof discharged, and such officer
shall

shall upon request made, pay the same to such meane lord, they giving to him a sufficient acquittance, and such payment and acquittance shewed, shall be to the same officer a sufficient discharge upon his account. 2. Co. 6. 8. 5. Prerogative 1.

18. ¶ But if any do holde of the Queene by fee ferme, or socage, or burgage, and he holdeth lands of another by knights service, the Queene shall not haue the custodie of his heire, nor of his land which is holden of another mans fee, by reason of the fee ferme, socage, or burgage, neither shall she haue the custodie of such fee ferme, socage, or burgage, except knights service be due vnto her out of the said fee ferme, neither shall shee haue the custodie of the heire, or of any land holden of another by knights service, by occasion of any petit sergeanty that any man holdeth of her, to pay a knife, an arrow, or other like thing. Mag. Chart. 27.

19. ¶ The Queene shall haue the marriage of an heire being within age and in her custodie, whether the land of such heire haue of ancient time bene holden of the crowne, or that it came by reason of escheat being in the Queenes hands, or that she hath the marriage by reason of the ward of the lord of such heire, without respect of priority of feoffment, although the heire holde of others. Prerog. Regis. 17. Co. 2. 1.

20. ¶ If a woman before the death of her ancestor, which held of the Queene in chiefe, be married before she be marriageable, then the Queene shall haue the wardship of the same woman, vntill shee be of the age able to consent, and then she may choose whether shee will haue him to whom shee was first married, or him that the Queene will offer her. Prerog. Regis. 5. 17. Co. 2. 5.

21. ¶ If the Queene doe commit the wardship of the land of any heire in her custodie to the shirife, or any other to answer to her grace the profits of the same lands, and hee do make waste or destruction in the wardship, he shall make amends to the Queene, and the land shall be committed to two lawfull and discreet men of the same fee, which shall answer the Queene, or him which she will assigne, the profits of the same lands. Mag. Chart. 4.

22. ¶ If the Queene doe giue or sell to any man the wardship of any such land, and he doth make waste or destruction therein, hee shall lose the wardship, and it shall be deliuered to two lawfull and discreet men of the same fee which shall answer the Queene the profits &c. Magna Charta. 9. P. 3. 4.

23. ¶ An Eschetour shall haue no fee of Wood, Venison, Fish, nor other things, but shall answer to the Queene the issues and profits perely coming of wards lands, without doing waste or destruction. And if any eschetour or subeschetour doe commit waste in any wards lands, as in houses, woods, parks, warrens, or other things that fall into the Queenes hands, he that hath receiued the losse shall haue an action of waste out of the Chancery against the eschetour for his act, and the subeschetour for his act (if he haue

Tenure by fee ferme or socage by which no wardship of other lands.

Petit sera geantie.

Marriage.

The Queenes woman tenant married in the life of her ancestor.

Waste in wards land by the Queene committed.

Waste in wards lands by the Queene granted.

An Eschetour shall haue no fee nor commit wast in wards lands.

VVards, VVardships, Mariage.

haue whereof) and if he haue not, his master shalbe answerable for the damages. And if the Escheator be attainted of waste, he shalbe punished at the Queenes pleasure, and yeeld to the heire treble damages at the heires owne sute, as well within age, as of full age, and his friends as long as he is within age, shall haue the sute for him, answering to the heire that which shalbe recovered. Articuli super chart. 34. Ed. 1. 18. 36. Ed. 2. 13.

*Fraudulent
conueyances
to defeat the
Queene or o-
ther lordes of
their wards-
ship, &c.*

24. ¶ If any person hauing estate of inheritance, of, or in manors, lands, tenements, or hereditaments, holden of the Queene by knights seruice in chief, or otherwise of the Queene by knights seruice, or of any other person or persons by knights seruice, hath giuen at any time since the xx. day of July 3. H. 8. An. Do. 1540. or hereafter shall giue, will, deuise, or assigne by will, or other act executed in his life, his manours, lands, tenements, or hereditaments, or any of them by fraud or couin, to any other person or persons, for terme of yerres, life or liues, with one remainder ouer in fee, or with diuers remainders ouer for terme of yerres, life, or in taile, with remainder ouer in fee simple to any person or persons, or to his or their right heires: Or at any time since the said xx. day of July hath conueyed, or hereafter shall conuey or make by couin, (contrary to the true intent of the act prouided. 34. H. 8. for the making of willes) any estates, conditions, mesuallties, cures, or conueyances, to the intent to defraud or deceiue the Queene of her prerogatiue, primer seisin, liuerie, reliefe, wardships, mariages, or rites, or any other lordes of their wardships, reliefs, heriots, or other profits which should or ought to accrue, grow or come vnto them or any of them, by or after the death of his or their tenant, by force and according to the statutes made. 32. H. 8. 1. and 34. H. 8. 5. And the same estates and other conueyances being founde by office to be so made by couin, fraud, or deceit, contrary to the true intent of the saide act: Then the Queene shall haue as well the wardship of the body, and custodie of the lands &c. as liuerie, primer seisin, reliefe, and other profits which should or ought to apperteyne to her, according to the true meaning of the said acts, as though no such estates or conueyances by couin had neuer bene had or made, vntill the said office be lawfully vndone by trauesse or otherwise. And the other lord and lordes of whom any such lands &c. shalbe holden by knights seruice, as is aforesaid, shall haue their remedie in such cases, for his or their wardships of bodies and lands, by writte or right of ward, and shall distreine and make a uowpp or cognisance by themselves or their bailifs for their reliefs, heriots, & other profits which should haue bene to them due, by or after the death of their tenant, as if no such estate or conueyance had bene had or made: Sa- uing the right and title of the donees, feoffees, leasees, and deuisees thereof against the saide deuisor and his heires, after the interest and title of the Queene or other lord therein ended. 34. H. 8. 5.

founde by office.

*The donees th-
e is saued after
the lordes in-
terest deter-
mined.
Wardship by
reason of a re-
mainder only.*

25. ¶ If two or moe do holde any lands, tenements, or hereditaments of the Queene by knights seruice loyally to them, and the heires of one of them,

them, and he that hath the inheritance thereof, diech, his heire being within age, the Queene shall haue the warde and marriage of the body of such heire, the life of the freeholder or freeholders of the saide lands &c. notwithstanding. 32. H. 8. 1.

26 ¶ All wardes which the Queene is intituled to haue with their manors, lands, tenements, rents, remainders, reuerfions, seruices, and al other hereditaments, as well in possession as reuertion, and all reuenues, issues, and profits of the same, for the time the same be, or ought to be in the Q. possession, shalbe in the order, suruey, and gouernance of the Queenes court of wards and liueries, and the ministers of the same. 32. H. 8. 46.

W. h. Queens wards, & their lands in the order of court of wards.

27 ¶ The Master, Atturney, Receiuor generall, and Auditors of the Court of Wardes and liueries, or thre of them, wherof the Master shalbe one, haue authoritie to make sale and graunt of the Queenes wards and enery of them, and of part of their lands during their minoritye, the same sale and graunt to passe by the Queenes bil assigned. And also the saide Master with the aduice of the said Atturney, and Receiuor, or one of them, haue authoritie without the Queens bil assigned, to make woodsales to the Queens vse, of all vnder woods, vpon any of the Queenes wards lands, bring lawfully in the Queenes possession. And to take and appoint timber for the necessary reparations of all the castles, manors, lands, tenements, and parkes of the said wards. And in the Queenes name to make leases during the minoritye of the said wards, of all Lordships, manors, landes, and tenements, remaining in the Queenes hands, and belonging to the sayde wardes, peelding to the Queene such rents, as shall bee thought conuenient by the discretion and suruey of the sayd Master, Atturney, Receiuor, and Auditors, or thre of them, wherof the master to be one. And also the said master by the aduice of the said Atturney, Receiuor, & Auditors, or thre of them, hath authority to suruey all the Queenes widowes, and to create, common, and conclude with all and enery of them that haue married themselves without the Queenes licence, for their reasonable fines to be made to the Queens vse, and to take and asseste the same by their discretion, according to the statute of Prerogatiua Regis. And also to suruey, gouerne, and order all and singular Idrees, and naturall Fools, which bee in the Queenes handes, and all the manors, landes, and hereditaments &c. being in the Queenes handes, or in the hands of any other person to their vles, that doe come or be in her graces handes, in the right of any of them, by reason of her prerogatiue royall. And by the saide aduice &c. thre or two of them to let and lethe manors, landes, and tenements to the Queenes vse, for the time of the Queenes interreit, for such rent and fine, as by their discretions shall be thought conuenient the finding and keeping of the persons, their wilues, and chyldren, and the reparations of their saide houles and landes alwayes to bee considered. And the sayde Master with the aduice of the said Atturney, Receiuor, or one of them, hath authority to call at all times

The authoritie of the head officers of the court of wards and liueries. Graunt of wardes.

Woodsales.

Reparations, Leases.

The Queenes widowes.

Idrees.

VVardes, VVardships, Marriage.

Intrusion.

Bonds of accomptants.

s. 33. W. 8. 39.
That the sure
shalbe in the
same Court
under the seale
of the same
Court of
wardes &c.

**Assessing of
fines.**

**Appointment
of officers.**

before them, into the office of the wardes &c. by the proces of the same Court, every person which is or hath bene the Queenes warde, intruding, or entring into, or upon his landes, or upon any part thereof, after his full age of one and twentie yeeres, and before hee hath sued and obtained his Luerie, or Ouster le maine for the same, out of the Queenes hands, under her great seale, aswell to make answer for his intrusion upon the Queenes possession, as to make payment to the Queenes Receiuer generall of the same court, of all such rents, issues, and profits by him taken at any time after his full age of one and twentie yeeres, and before liuery sued for the same out of the Queenes handes. And the sayde Master in all places, and the sayde Attorney, Receiuer generall, and Auditors, or two of them in the said Court (the Master being absent) haue authoritie to take obligations to the Queenes vse, of every particular Receiuer, which shalbe assigned for the said Court, and of his suerties for sure payment of his receipts, and to take obligations to the Queenes vse, aswell of every farmor, bailife, reeve, or other accomptants for the true payment of their receipts, and of every person which is indebted to the Queene for any arrearages of his receipts, farmes or charges, as of any other person, for any other cause or matter concerning the premises, determinable within the said Court. And all such obligations and writings obligatorie, of what summe soeuer they bee, be of the same strength, qualitie, and effect, to all intents, as writings obligatorie, made by any lay person by authoritie of the Statute staple bene or ought to bee. And upon certificate made in the Chancerie of any such writings obligatorie, taken for such payments, like proces and executions shall bee thereupon had and made against any person spirituall and temporall, as hath bene accustomed to be made against any lay person, upon certificate of writings obligatorie of the said Statute of the Staple. And the Master, Attorney, and Receiuer generall, or ii. of them, haue authoritie to set such fine, as by their discretion shall seeme good, upon any person called by the Queenes proces of the same Court, to appeare at Westminster in the same court within the terme, at a certayne day to him prefixed to appeare, and hath day giuen in Court to make answer to the matters objected against him in the same Court in the Queenes behalfe, which doth depart the Court before answer made, and a turney put into the court with assent of the court, for prosecuting the matter with effect, which fine shalbe leuied of his landes, tenements, goods and cattels, to the Queenes vse. And also the said Master hath authority to make and appoint all and singular particular Receiuers, Feodaries, and surueyors, in every shire, and also fees for executing the same under the seale of the same office, in such wise as the same Officers may bee alwayes remouable, at the discretion of the said Court. And also to make allowance of the costes of all Commissioners, particular Receiuers, Surueiers, Auditors, Counsellors, and Feodaries, and euery of them, by his bill assigned, which bill is a sufficient

ent

ent warrant to the Auditors of the same Court, to make allowance of the same. And the said master hath authoritie to take Recognisances of al persons that be called into the said Court to answere to any matter alledged against them in the saide Court, to make their daily apparance in the sayde Court, to answere to such matter, as to them, then and there from time to time shalbe alleaged. And all such recognisances of what summe soeuer they be, be as good and effectual in the law to all intents, as recognisances taken in the Chauncery or els where, befoze any Judge of Record, within this Realme. And the saide Master with the aduise of the Court, or of such number of the same as then be present, so that they be two beside the sayde Master, haue full power to moderate such Recognisances as bee there forsaied, and to set fines for the same to the Queenes vse vnder the summes contained in the said recognisances, the same fines to be leuied by proces of Scire facias, &c. And the said Master with the aduise beforesaid, hath authoritie to commit to ward any person or persons for his or their disobedience, contempt, or other offence to be made, triable within the said Court, and vpon the saide matters ordered, there to deliuer them from prison, and to cancell and make voyd all recognisances and obligations taken in the same Court to the Queenes vse, when the said Master, with the aduise of the said Court or thre of them, shal see the matters for the which any such recognisance or obligation was taken to be finished, and the Queene or partie ther vpon satisfied without any other warrant for the same. 3 H. 8. 46/33. H. 8. 22/33. H. 8. 39.

Recognisance of apparance.

Moderating of Recognisances forsaied.

Committing to prison.

Cancelling of bondes.

28 The Master and Officers of the Court of Wards and liueries, shall take for the fee of all proces, at the suite of the parties vnder the priuie seale of the same Court iii. s. vi. d. And for the fees of all Commissions, directed out at the suite of the parties ii. s. vi. d. And for recording of all apparances iii. d. and no more. 3 H. 8. 46.

The fees for proces & recording apparance.

1 Within what time a patent of wardship shall be sued forth after the graunting thereof, S. Patents. 12.

2 What those officers of the Court of wardes shall forfait, which doe withdraw or conceale any of the Queenes rents or profits, S. Offices. 7.

Varrantie.

In deedes where it is contained, Dedi & concessi tale teneamentum, &c. I haue giuen and graunted such a teneament, without homage or any clause that containeth warrantie, and to hold of the donors and their heires by a certaine seruice, the donors and their heires shall be bound to warrantie. And where it is contained Dedi & concessi, &c. to holde of the chiefe Lords of the fee, or of any other the of the feoffers or their heires, reseruing no seruice to himselfe, without homage, or without the foresaide clause of warrantie, his heires shal not be bound to warrantie, but the feoffor by reason of his gift shalbe bounde to warrantie during his owne life. Statut. de Bigamis. 4. Ed. 1. 6.

Warrantie by Dedi & concessi.

The husband
doeth alien his
wifes land
with warrantie.

If a man alien the land that he holveth by the curtesie of Englande, his sonne shall not be barred by the deed of his father (from whome no heritage to him descended) to demanda and reconer by writ of *Moynance* of the seisin of his mother, although it be mentioned in the deed, that his father did bind him and his heires to warrantie. And if any heritage descende to him of his fathers side, then he shalbe barred for the value of the heritage, that is to him descended. And if in such case after the death of his father, any inheritance descende to him by the same father, then shal the tenant recover against him of the seisin of his mother by a *Judiciall* writte, that shall issue out of the rolles to the Justices before whome the plea was pleaded, to re-refummon his warrantie, as before hath beene done in like cases, where the heire of the warrantour commeth into the Court, saying, that nought descended from him upon whose deed hee is vouched. And in like maner, the issue of the sonne shall recover by writte of *Collnage, Aiel, and Belaiel*. Likewise and in like manner, the heire of the wife shall not bee barred after the death of his father and mother, to demanda by *Action* the inheritance of his mother by writ of *Entrie*, which his father did alien in the time of his mother, whereof no fine is leuied in the Kings Court. *Glocester. 6. Ed. 1. 3.*

1 Where the Queene shall bee bounde to warrantie, *S. Ayde of the Queene. 1.*

2 Where a womans suite or her heires shall not bee differred by the minoritie of the heire which shoulde warrant the landes. *S. Women 12.*

Waste.

No farmer
shall make
waste without
warrant.

Fermors during their termes shal not make waste, sale, or exile of houses, woods, and men, nor of any thing belonging to the tenements which they haue in ferme, without they haue speciall graunt by writing, making mention of the couenant that they may do it. *Marb. 5. 2. 3. 24.*

An action of
waste against
tenant by the
curtesie, for life
or peeres.

2 A man shall haue an action of waste in the *Chancerie* against him which is tenant by the curtesie of Englande, or other wise, tenant for terme of life, or for terme of peeres; or against a woman which holveth in dower, and he which shalbe attainted of waste, shall lose the thing wasted, and besides shall pay treble so much as the waste shall bee taxed. *Glocester. 6. Edw. 1. 5.* After such time as a plea is moued in the *Citie of London* by writ, the tenant shall haue no power to make any waste or *estrepment* of the lande which is in demanda, hanging the plea. And if he do, the *Mayor* and *Bailiffes* shall cause to bee kept at the suite of the demandant. And the same ordinance and statute shall bee obserued in other *Cities, Boroughes*, and else where, throughout the whole *Realme*. *Glocester. 6. Ed. 1. 13.*

No waste or
estrepment
hanging any
suit.

Proces in an
action of waste

3 Of euery maner of waste committed in any mans inheritance by *gardeins*, tenants in dower, by the curtesie, or otherwise for terme of life,

or for terme of yeeres, to the damage of another, a writ of summons shal be awarded, and if after the summons, he against whom the writ is brought appeare not, he shalbe attached, and after the attachment hee shalbe distrained, and if hee appeare not after the distress, the Sherife shalbe commanded, that in his owne proper person taking with him xii. &c. he shal goe vnto the place wasted and enquire of the waste committed, and returne the inquisition, and after the inquisition is returned, judgement shalbe giuen, as is contained in the Statute of Gloucest. West. 2. 13. Ed. 1. 14. S. 2.

A writ to enquire of waste.

¶ If any persons doe let their lands to any other for terme of life, for terme of an other mans life, or for terme of yeeres, and the tenants doe graunt their estate which they haue in the same, to any other persons to the intent that they in the reuerfion should not know their names, and after the first tenants do continually occupie the said lands, and take there of the profits to their owne vse, and in the said lands commit waste to the disheritance of them in the reuerfion, in such case they in the reuerfion may haue and maintain an action of waste against the said tenants, and so recover against them the place wasted, and their treble damages for the waste committed, as they ought to haue done for the wast by them done before the said graunt. But this ordinance holdeth not place, but where the first tenants were punishable of waste before the graunting of their estate, and also where after the said graunt they tooke the profits of the same lands to their owne vse, at the time of the waste committed. 11. H. 6. 5.

Tenant for life or yeeres grants to another his estate, taketh the profits, & committeth waste.

¶ Whereas two or more doe hold any wood, turbarie, fishing, or other such things in common, wherein none knoweth his owne seuerall, and one of them doeth commit waste against the will of the other, an action of waste may lie, and when it is come vnto iudgement the defendant shal choose either to take his part in a place certaine by the assignement of the Sherife, and by the view and oath of his neighbours swoyne and tried for the same intent, or els he shal graunt to take nothing from thenceforth in the same wood, turbarie, and such other, but as his partners will take, and if he doe choose to take his part in a place certaine, the place wasted shalbe assigned for his part according as it was before he committed the waste. West. 2. 13. Ed. 1. 22.

Waste committed by a reman in common.

¶ The remedie where waste is committed in any wardes landes, S. Wardes 10. 11. 21. 22. 23.

Watch and Ward.

From the feast of Ascension vntill Michaelmas in every Citie vi. men shal watch at every gate, in every borough xii. men, in every towne vi. or viii. according to the number of the inhabitants of the towne, and shal watch the towne at night, from the sunne setting to the Sunne rising, and if any stranger doe passe by them he shalbe arrested vntill morning, and if no suspicion be found, he shal go quite, and if they find cause of suspicion, they shal forthwith deliuer him to the Sherife, & the Sherife shal receive him with-

When the night watch shal beginne and end.

Arresting of night walkers.

out hurt, untill he be acquitted in due maner, and if he will not obey the arrest, they shal leuy buy and crye upon him, and such as keepe the towne shal follow with buy and cry with all the towne and the townes neere, and from towne to towne, untill hee bee taken and deliuered to the Sheriffe, as befoze is said, and for the arrestments of such strangers none shalbe punished. Winchest. 13. Ed. 1.

Warding of
walled townes.

2 ¶ In great townes walled, the gates shalbe shut from the sunne setting vntill the sunne rising, and no man shal lodge in the suburbes or any place out of the towne from ix. of the clocke vntill day, except his hofte will answere for him, and the bailifes of townes euery wecke, or at the least euery xv. day shal make inquirie of all persons being lodged in the suburbes, or in foireine places of the townes, and if they finde any that hath receiued any suspicious persons not keeping the Queenes peace, the bailifes shal execute right and Justice therein, Winchest. 13. Ed. 1. And Justices of peace haue power to make inquisition in their Sessions from time to time, and to punish them which be found in default after the tenour of the focestide statute of Winchester. 5. H. 4. 3.

Waxe.

Using deceit
by mixture in
melting of
ware.

E Very person within this Realme, or the dominions of the same, which shal in the making & melting of ware, by any way or means vse or practise, or cause to be vled or practised any maner deceit by mixture & mingling the same with Rosen, Tallow, turpentine, or any other deceitefull thing, to the intent to sel & better the same, or offer the same to bee solde or bettered for ware, to any person or persons whatsoever, shal forfait & lose the same mingled or corrupted ware. And if the same corrupted ware shal happen to be sold befoze such default and corruption shalbe found, then the saide melter, mingler, or corrupter, causer or procurer thereof, shal forfait for euery pound ii. s. whereof the one halfe to the Queene, the other halfe to the partie deceiued, if he will sue for it, or any other person or persons that wil sue for the same, in any of the Queenes courts of Record. 23. El. 8.

Euery melter
of ware, shal
haue his mark

2 ¶ Euery melter and maker by of wrought ware, shal haue for himselfe a stampe, or marke of the bredth of sixe pence, wherein two letters shal be plainely grauen, signifying his name and surname, and with the same shal stampe euery peece of ware, to be printed or stampen tryangle, in three places vpon the outside of the hyper part of euery peece so melted and cast, vpon the paine to forfait the value of euery peece or cake sold, or offered to be sold, and not so stamped or marked. 23. El. 8.

Wrought war
marked.

3 ¶ No person ne persons within this Realme, or the dominions thereof, shal melt, mixe, woozke, or sell any manner of wrought ware, stufte or wares wrought with ware, as in lightres, flastroches, redware, or sealing ware, bookcandle, searingcandle, searing of dead corpes, linkes, greenware, redware, or any other worke, or thing whatsoever, to bee done or wrought with ware to be put to sale, but with good, holsome, pure, and conuenient stufte,

Stuffe, meet in such wares or worke in convenient quantitie to be vsed. And euery person or persons, that shal worke or sell such stuffe or wares of ware, shal haue a marke or stampe, or seale, to set on his or their worke by him or them wrought, or solde, to the intent that if any deceipt be vsed or done, it may be knowen who were the workers thereof, and such person or persons as shalbe found or known to worke or sel, or to sale put, any such false ware, or wares wrought with ware to be put to sale, shal forfeit the same corrupted or deceitfull ware and wares, the one halfe to be to the Queene &c. and the other to the party deceiued, if he shall sue for the same, or otherwise to him or them that will sue for the same, by A. B. P. or J. in any the Queenes courts of record, wherein no E. P. W. &c. shalbe allowed. 23. El. 8.

4 ¶ Euery person and persons whatsoever, which shal sel or offer to be solde, any corrupted and false mingled ware, shal forfeit the said ware, the one moiety thereof to bee to the Queene, and the other to the party deceiued, if he shall sue for the same, or otherwise to him or them that will sue for the same as aforesaid. 23. El. 8.

Corrupted or
false mingled
war forfeited.

5 ¶ Provided alwaies, that this act, as touching the marking of ware, shal not extende to any person or persons, selling the ware of their owne bees in open markets in small pieces, nor to any seruant or seruants, or other persons, mingling, or corrupting any ware, by commandement of their master or other person hauing authoritie ouer them, so as they will confesse the same. 23. El. 8.

Selling war of
their owne
bees.

6 ¶ If any person or persons shal at any time hereafter counterfeit any the markes aboue mentioned, or shal set to the marke or markes of any other person or persons without the consent of the same person or persons whose names the said markes shal signifie, euery such offender in the premises shal forfeite for euery such default five pound: the one moiety thereof to be to the Queene &c. and the other moiety to the partie deceiued, if he will sue for the same, or otherwise to any other person or persons that will sue for the same by B. A. or J. in any of the Queenes Courts of record, wherein no E. P. or W. shalbe allowed. And for non sufficiency of payment thereof, to be set on the Pillorie, in the next market towne to the place where such offence shalbe committed, and to suffer three moneths imprisonment, without baile or mainprise for euery offence committed contrary to this article of this present act. 23. El. 8.

Counterfeiting
of markes, or
marking with
an others
marke.

Waights and Measures.

Of the waight, one Measure, and one yarde shalbe throughout the whole Realme, as wel without the staple as within. Magna charta 26. 14. Ed. 3. 12. 27. Ed. 3. 10.

One waight, &
measure thos
roth the
realme.

2 ¶ By the consent of the whole Realme of England the measure was made, that an English peny called a sterling, round, & without clipping shal waigh 3 2. roms of wheat in the midst of the eare, & xx. d. shal make an ounce, xii. ounces of Troy waight shal make a pound, and 8. li. of Troy weight

A bushell

pp 4.

shall

Waightes and Measures.

Half make a gallon, viii. gallons half make a bushel, which is the viii. parts of a quarter, Compositio mensurarum, § 1. Co. 1. 12. P. 7. 5.

In quarter of
squire, a stone,
9 sack of wool.

3 There bee but onely 8. bushels rased and striken to the quarter of Coine, and 14. li. to the stone of wooll, and 26. stone to the sacke. 11. P. 7. 4. 1. P. 5. 10. 15. R. 2. 4. 34. Co. 3. 6. And whosoener doeth buy or sel wooll at more waight then at 14. pound the stone, shall pay double to the partie grieved, and make fine to the Queene, according to the quantie of the trespass, 13. R. 2. 9.

In acre of
ground,

4 Three graines of Barley vile and round do make an yarch, five the yarches doe make a foote, three foote doe make a pard, five pards and a halfe doe make a perch, and fortie perches in length and foure in bredth doe make an acre, Compositio vinarum & peticarum.

The breadth			The length of the acre		
Perche	Perche	Feete	Perche	Perche	Feete
10	16	0	28	5	11 ¹¹ / ₁₆
11	14	9	29	5	8 ¹¹ / ₁₆
12	12	5 ¹¹ / ₁₆	30	4	5 ¹¹ / ₁₆
13	12	5 ¹¹ / ₁₆	31	5	2 ¹¹ / ₁₆
14	11	7 ¹¹ / ₁₆	32	5	0
15	10	11	33	4	14 ¹¹ / ₁₆
16	10	0	34	4	11 ¹¹ / ₁₆
17	9	6 ¹¹ / ₁₆	35	4	9 ¹¹ / ₁₆
18	8	14 ¹¹ / ₁₆	36	4	7 ¹¹ / ₁₆
19	8	6 ¹¹ / ₁₆	37	4	5 ¹¹ / ₁₆
20	8	0	38	4	3 ¹¹ / ₁₆
21	7	10 ¹¹ / ₁₆	39	4	1 ¹¹ / ₁₆
22	7	4 ¹¹ / ₁₆	40	4	0
23	6	15 ¹¹ / ₁₆	41	3	14 ¹¹ / ₁₆
24	6	11	42	3	13 ¹¹ / ₁₆
25	6	6 ¹¹ / ₁₆	43	3	11 ¹¹ / ₁₆
26	6	2 ¹¹ / ₁₆	44	3	10 ¹¹ / ₁₆
27	5	15 ¹¹ / ₁₆	45	3	9 ¹¹ / ₁₆

6. The waights & measures of Cheese shall containe xxij. cloues, that is to say, euery cloue xij. pound by the waights touching: p. 11. 6. 8. Quere if a cloue be vij. pound & vij. pound.

7. It was enacted, that there should be carried into euery Cite, Borough, and market Towne hereafter named, one of euery waight and measure, which the said King H. 7. caused to be made of Brasse, according to his Statute of his Exchequer, there to remaine for euery in the keeping of the head officer of the same Cite, Borough, or Towne, as the Kings Statute of waight and measure, and that the inhabitants of all cities, boroughs, and market townes within euery of the said shires, should make, or cause to be made, to remaine with them, common measures and waights, according to the same waights and measures, and that the same measures & waights should be visited, examined, printed, signed, and marked by the head officer, in whose possession the said Statute should remaine.

Westmerl.	Towne of Appleby	Surrey	Towne of Guildford
Roxburgh.	T. of Newcastle	Sussex	T. of Lewes
Cumberl.	Citie of Carlisle	Dron.	T. of Oxford
Lanc.	T. of Lancaster	Berk.	T. of Reading
Ches.	Citie of Wyke	Deresh.	T. of Shrewsbury
Lincoln.	Citie of Lincoln	Salop.	T. of Shrewsbury
Derb.	T. of Derby	Staff.	T. of Stafford
Noting.	T. of Nottingham	Glouc.	T. of Gloucester
Leyce.	T. of Leicester	Wilt.	T. of Wiltshire
Ware.	T. of Couentrie	Wilkes.	T. of Wilkes
Roxph.	T. of Coppingham	War.	T. of Warwicke
Roxph.	T. of Roxhampton	Bed.	T. of Bedford
Bed.	T. of Bedford	Buck.	T. of Buckingham
Buck.	T. of Buckingham	Cantab.	T. of Cambridge
Cantab.	T. of Cambridge	Hunt.	T. of Huntingdon
Hunt.	T. of Huntingdon	Roxff.	T. of Roxwich
Roxff.	T. of Roxwich	Suff.	T. of S. Comondes
Suff.	T. of S. Comondes	Essex.	T. of Chelmsford
Essex.	T. of Chelmsford	Deresh.	T. of Deresh
Deresh.	T. of Deresh	Wilt.	T. of Wiltshire
Wilt.	T. of Wiltshire	Glouc.	T. of Gloucester
Glouc.	T. of Gloucester	Staff.	T. of Stafford
Staff.	T. of Stafford	Salop.	T. of Shrewsbury
Salop.	T. of Shrewsbury	Deresh.	T. of Deresh
Deresh.	T. of Deresh	Ches.	T. of Chester

8. Every head Officer hauing the said waights and measures signed and printed vnder the signe and print for the same, hath authoritie to make, signe, and print, like waights and measures vnto euery the Quenes subjects duely requiring the same, taking for marking and sealing of euery bushell i. d. of euery other measure ob. of euery C. waight i. d. of euery halfe C. ob.

Way of
Cheese,
Quere.

The names of
the Townes
limited by the
keeping of
waights and
measures.

The names of
the Townes
limited by the
keeping of
waights and
measures.

The names of
the Townes
limited by the
keeping of
waights and
measures.

The names of
the Townes
limited by the
keeping of
waights and
measures.

Head officers
may signe
waights and
measures to
euery man that
will.

to make
shall
sing

Each and of every waights and measures, and not above, upon paine to for. for every time that be refused or with the contrary p. s. to the M. & C. that will sue by A. of debt, wherein no M. & C. 11. p. 7. 4. 12. p. 7. 5.

None that buy
or sell but with
waights and
measures sig-
ned & printed.

10. Every Merchant or other person within any Citie, or market towne, shall buy or sell with any waights or measure except it be marked, signed, or printed, in forme aforesaid, nor any other person out of the said Citie, borough and market townes, except it be like and equall with the said Standard. And every person as well without Citie, Borough, and market townes as within, shall buy and sell with a bushell sealed, signed, and marked, after the forme aforesaid, and none other wise. But this act shall not extend to any person selling or buying by water measure within the shipbord, but the same shall onely containe five peckes after the the said standard raised and stricken, neither shall this act extend to any waights appertaining to the carriage of wine within the Countie of Cornwall and Devonshire, but all such waights shall be used and corrected as hath bene used. 11. p. 7. 4. 12. p. 7. 5.

Water mea-
sure.

Waights for
carriage of
wine.

to make
shall
sing

10. The Mayor, Bailiffes, and other head officers of every Citie, Borough, or market towne, shall cause twice in the yeere or oftener, as they shall thinke necessary, all waights and measures within the said Citie or Borough to be brought before them, and to be duly viewed and examined, and such as they shall find defective immediately to be brought and burnt, and the offenders shall for the first time be whipt, to the said Mayor, Bailiffes, or any other having jurisdiction and correction in that behalf, and at the second time shall be imprisoned. And at the third time p. s. and for the further punishment, shall be forsworn the Willorie to the example of other. But the examination of defaults aforesaid and punishment to the offenders of every offence committed within any of the five ports shall be done by the Lord warden of the said ports, or by his lieutenant and none other. 7. p. 7. 3. 11. p. 7. 4. 12. p. 7. 5. See Justice of Peace, 29.

Every citie,
borough and
market towne
shall have a com-
mon balance
and waights.

11. Every Citie upon paine of s. li. every Borough upon payne of l. s. And every towne where a Constable is upon paine of p. s. to be looked to the use of the Queene so often as they shall be found defective, shall have a common ballance with waights according to the standarde of the Eschequer. 8. p. 6. 5. But these penalties shall not extend to any towne which is no citie, borough, or market towne, 11. p. 7. 4. By the foresaid Statute of H. 6. the Burgeses of the borough of Dorchester shall not be disturbed of their right to use their weighing by xii. Miles about the same borough, using alwaies such common waights as bee according to the Standard of the Eschequer. 8. p. 6. 5.

Every one
that weigh
at the common
balance and
waights.

12. At the common ballance, and common waights taken, of every Citie, Borough, and towne, all the inhabitants of the same Citie, Borough & C. may freely weigh without any thing paying, taking never theles of foraine for every draught within the waight of li. liq. and for every draught

by aught betwixt it and C. li. s. vi. and for every by aught betwixt C. li. s. vi. and a
 p. li. s. vi. at the most, whereof the waightes shalbe maintained, and the offi-
 ce rewarded by the discretion of the chiefe of the citie, borough, &c. accord-
 ing to his attendance. p. 8. 6. 5.

13 **Justices of peace, Sherifes, Escheators, and other commissioners as-
 signed by the Queene, haue power by commission to enquire of all falsifi-
 ers and counterfeiters of false waightes, and to take and imprison them, and
 in prison to hold them without mainprise, untill they be acquitted or attayn-
 ted, and if they be attainted, their bodies shall remaine in prison untill they
 haue made fine and rancome according to the Justices discretion. 9. p. 5. 8,
 Justice of peace. 92.**

Collectors
of waightes.

14 **Woolles, and all maner of Quer de poyis shalbe waighted by the
 ballance which is equall, and by lawfull waightes sealed according the stan-
 dard of the Eschequer, so that the tongue of the ballance shalbe equall, with-
 out bowing to the one side, or to the other, or without putting hand or foote,
 or other touching thereof, and he which doeth the contrary, to the damage
 of the seller, shall forfeite to the Queene the value of the goods so waighted,
 shall be two yeeres imprisoned, and make fine at the Quenes pleasure, and
 the plaintife shall haue his quadruple damages. 25. Ed. 3. 9. 27. Ed. 3. 10.
 13. R. 2. 9. 8. p. 6. 5.**

Weighing by
equall balance.

15 **By the Statutes intituled, Assisla panis & ceruicie, Statutum pa-
 nis & ceruicie, Iudicium Collistrigii, Statutum de pistoribus, Braceatori-
 bus, & aliis vitellariis, made 5. 1. p. 3. and 5. 1. Ed. 1. there were severall ordi-
 nances provided for the prices of bread and ale; according to the price of
 corne, viz. when a quarter of barley was sold for ii. s. that then Brewers
 should sell iiii. gallons of Ale for i. d. when Barley was sold for ii. s. vi. d.
 the quarter, then vii. gallons for ii. d. when Barley was sold for iii. s. the
 quarter, then iiii. gallons for i. d. when for iii. s. vi. d. the quarter, then v. gal-
 lons for ii. d. and when for iiii. s. the quarter, then two gallons for i. d. and so
 should rise and fall, as the price of corne did rise and fall by vi. d. in the quar-
 ter. And there be also severall waightes assessed of the wastel bread; the
 Cinnial, the cocker bread, and household bread, according to the price of
 wheat rising or falling betwixt xii. d. and ii. s. the quarter, al which forces of
 bread were ordained to be wayed by sterling mony, as it was current in the
 reignes of king H. 3. and king Ed. 1. viz. that a sterling penny should way 32
 graines of wheat in the midst of the eare, & that xx. of those pence should
 make an ounce, which values time since hath much altered, but omitting
 the value, and casting the iust waight of an ounce; the same proportion in
 waight which the statute appointeth, is to be observed, and the waightes and
 measures which bee kept and used in Cities, Townes, and Boroughes;
 according to the Statute of 1. 1. p. 7. and 1. 2. Hen. 7. doe agree with the
 foresayd old Statutes in effect. And in the sayd old Statutes it is ordained,
 that the prices of bread and ale shall not bee changed; but as equie rises**

The assise of
bread and ale.

as falleth in in the quarter; and that if the baker or brewer do breake the assise the first, the second, and the third time, he shalbe amerced according to the quantite of his offence, except his offence be great, but if his offence be great, or that he doeth offend a fourth or more often times, the baker offending shalbe set upon the pillorie; and the brewer shalbe punished by the Tumbrell, which punishments shal not be pardoned for gold or silver. And if the Bakers farthing bread be found lacking ii. n. vi. n. or under, (viz. an ounce and demy Troy) he shal be amerced, and if it excee, he shal be set upon the pillory. And the pillorie shalbe of sufficient strength, that the iudgement may be executed vpon the offenders without perill of the body. S. Bruers. 2.

1 By what measure the Queenes Purueyors shal take corne and other vnaile. S. Purueyors. 16.

2 For the length, breadth, and waight of all maner of cloth. S. Draper. 17. 18. c. 73.

3 For the assise, length, and breadth of Couerlets made in Yorkshire. S. Couerlets. 3.

4 For the content of ech vessel of wine, hony, and oyle. S. Wine 16.

5 For the content of a But, Barrel, halfe barrel, and other vessel of Salmon. S. Fish. 8.

6 For the content of a barrell, halfe barrell, and firkin of herrings and Eles. S. Fish. 9. 10.

7 For the content and waight of barrells & firkins of Sope. S. Sope 1.

8 For the content of euery vessel made for Ale and Beere See Couper. 1.

9 How he shalbe punished, which occupying buying of Pewter or brasse, doth occupy any deceivable beames and waights. S. Pewter. 4.

10 That woollen cloth shall be solde by the yarde and ynche. S. Draper. 73.

11 By what measure Millers shal take their Tolle. S. Tolle. 2.

12 For the waight of hempe and how much shall bee accompted a stone. S. Cables. 3.

Weares.

By the statute of Magna chart. chap. 15. 16. & 23. It was prouided, That no village or freemen shoulde be distrayned to make any bridges, or bankes, but such as by right they had wont to make, nor that any banks shoulde be from thence forth defended, but such as were defended in the time of king H. 1. and by the same place and the same bounds. And that all weares shoulde be wholsly put downe by Thamise, Ouse, and through all Eng- land, saving by the Sea coast.

2 All such weares, milles stankes, stikes, and kiddles, which be le- uied and set up in the time of H. 1. and after, where by they & houses be disturbed that chop in a nept of such kind as they were wont, shall be taken

Bridges.
Bankes.

Weares.

Arto weares
shalbe pulled
downe & not
repaired.

taken away and pulled downe, and not bee set up againe, and thereupon
writtes shal bee sent to the Sheriffes of the places where neede is, to sur-
uey, inquire, and thereof make execution. And also Justices shalbe assistant
as often as neede shal require. 25. Ed. 3. 4. And if any such misdoute be pul-
led downe, according to the intent of the foresayd statute, he that shal leuy
or set up the same againe, and thereof shal be in due maner attainced, shal
forfeit to the Queene C. markes, to be leuied by the estreats of the Esche-
quer. And the same law shal hold place of any annoyance committed by the
enhancing of such weares, mills, stanks, stakes, and kiddles, as by the ma-
king of new. 45. Ed. 3.

3 **C**ommissions shall be directed in due forme to sufficient persons
to be Justices in every County of England where neede shall be, to suruey
and keepe the waters and great rivers there, and to correct and amend the
faults, and to make due execution of the foresayd Statute of 25. and 45.
Ed. 3. according to the effect thereof, aswell by their suruey, aduice, and dis-
cretion, as by the Enquests thereupon to be taken within franchises & with-
out, if and when neede shalbe, and to heare and determine the foresayd things.
And moreover to suruey the weares, mills, stanks, stakes, and kiddles anci-
ently used and leuied before the time of R. Ed. 1. And those which they shal
find too much enhanced or strengthened, to abate, reforme, and amend, in
maner and forme aforesayd: Sauing alwayes a reasonable substance of the
weares, mills, stanks, stakes, and kiddles aforesayd, so in old time made and
leuied. 1. H. 4. 12. See 4. H. 4. 11. That Commissions shalbe made to cer-
taine Justices and other in every county where neede shalbe, to enquire of
all that which is contayned in the sayd Statutes, and to punish the offen-
ders of the same by fine, according to their discretion: Sauing alwayes to
the Queene the paynes comprised in the sayd Statutes. And the estreats of
such fines shal bee deliuered by the sayd Justices to the Sheriffe of every
county by Indenture, and the Sheriffe shal pay of the issues and profits ris-
ing of the sayd Estreats, to every of the sayd Justices for every day, that he
shal trauel to exercise the sayd commission. iiii. s. and the Sheriffe shal there-
of haue allowance in the Eschequer.

4 **A**nd if any such annoyance of weares, mills, stanks, stakes, and kid-
dles of passages, and strenghtnings in old time made and leuied, be iudged
or awarded by the sayd Justices to abated or amended, he which hath the
freehold thereof, shal execute the same at his owne costs, within halfe a yere
after notice thereof to him given, vpon payne of C. markes, to be payed to
the D. by the estreats of the Eschequer. And he which doeth make them to
bee set up againe, enhanced, or strengthened contrary to the sayd iudge-
ment, and thereof is duely conuict, shal forfeit to the D. C. markes to be payd
as is aforesayd. And in case any man feeleth himselfe grieved by execution
or other meane in this behalfe against righte and reason, let him pursue it,
and he shal haue right and reason. 1. H. 4. 17.

Commissions
to suruey the
faults of
weares.

Commissions
allowance for
their paynes.

The forfeitures
of offenders.

White Ashes. Wildfoule.

An offence
not reformed
according to
the commissi-
oners award.

5 ¶ If by award or iudgement of any of the sayde Commissioners assigned according to the sayd stat. of 1. P. 4. it be found that any such weares, fishgarths, milles, milldammes, millstankes, lockes, hebbing weares, stakes, kiddels, hecks, or floodgates be made, leuied, enhaunced, streightned, or enlarged, contrary to the same statute, if the offendours in this behalfe, contrary to the sayd award, rule, and iudgement being onely warned by the Sheriffe or vndersheriffe of the County or Counties where such weares, fishgarths &c. and other anoyances, disturbances or impediments aforesayde shal be found, made, leuied, streightned, or enlarged, by Scire facias being directed to the sayd Sheriffe or vndersheriffe, doe not within thre moneths next after the sayd garnishment made, at their owne costes and charges duly and fully amend, breake downe, and auoyd the sayd making, leuying, enhauncing, streightning, or enlarging, being defectiue, as in the foresayd stat. is specified: Then he or they which shal in this case offend, shal forf. to the Q. for euery default C. marks, by transcript to be deliuered into the Eschequer, in maner and forme, as in the sayd stat. is contayned. And if the offender his heire, heires, assignee, or assignees, or any of them do deserre or continue the same defaults, contrary to the foresayd award, rule, and iudgement of the Commissioners aforesayd, he or they so differring or continuing the same default, shal forf. for euery moneth after the sayd iii. moneths ended, that the same default shal remaine and be not corrected, amended nor reformed, C. marks to the Q. and any of her subiects that will sue by A. of debt, wherein no W. E. P. &c. 12. Ed. 4. 7.

An offence
made or com-
mitted by a
stranger con-
trary to the
Commissio-
ners award.

6 ¶ If any person other then such against whome such award, rule, or iudgement was made and had, not being heire or assignee to them, or any of them, wil presume to occupie or continue any such weares, fishgarths, milles, milldammes, millstankes, lockes, hebbing weares, stakes, kiddels, hecks, floodgates, or other disturbances or impediments, as is aforesayd, he or they which doe presume to occupie or continue shal forf. for euery default for euery moneth, as is aforesayd C. marks to the Q. and any of her subiects that will sue by A. of debt, wherein no W. E. P. &c. 12. Ed. 4. 7.

White ashes
shall not bee
transported.

White Ashes.
No person shall shippe, lade, carrie, or conuey any white Ashes toward the parties beyond the Seas, upon payne of forf. of vi. s. viii. d. for euery bushel of such Ashes so to be shipped or laden, to be caried or conueyed into the parts beyond the Seas, to the Queene and Informer, to bee recouered by Action, Information, &c. wherein no W. E. P. &c. 2. Ed. 6. 26.

Taking or de-
stroying the
egges of wild-
foule.

Wildfoule.
From the first day of March unto the last day of June yearly, no person shall willingly withdraue, purloine, take, destroy, or conuey any egges of any kind of wildfoule from any nest or place where they shal bee layd by any

any kind of the same wildfoule, upon payne of imprisonment for one yeere, and to forfeit to the King and Queen for every egge of any Crane or Bustard, so destroyed or taken from any nest or place xx. s. and for every egge of every Bitter, Heron, or Shouelard viii. s. and for every egge of every Mallard, Teale, or other wildfoule i. d. wherein no W. C. P. or. This act shall not be hurtful to any person that wil destroy any Crowses, Choughs, Ravens, and Bullards, or their egges, or any other foule or their egges, not comestible or used to be eaten. 3. H. 8. c. 1. 3. Ed. 6. 7.

¶ Willes & Testaments.

Every person having any manors, lands, tenements, or hereditaments, holden in socage, or of the nature of socage, & not having any landes &c. holden of the King by R. service, or by socage tenure in chiefe, or of the nature of socage tenure in chiefe, nor of any other person by knights service, shall have free libertie and power, to give, dispose, will, and devise, as well by his last will and testament in writing, or otherwise by any act or acts lawfully executed in his life, al his sayd lands &c. or any of them at his pleasure, any law, &c. notwithstanding. 3. H. 8. c. 1.

2 Every person having manors, landes, tenements, or hereditaments holden of the King her heires or successours in socage, or of the nature of socage tenure in chiefe, and having any other lands &c. holden of any other person in socage, or of the nature of socage tenure, and not having any lands &c. holden of the King, nor of any other person by knights service, shall have full power, to give, will, dispose, and devise, as well by his last will or testament in writing or otherwise, by any Act or Actes lawfully executed in his life, all his sayd lands and tenements, and hereditaments; or any of them at his free will and pleasure: Saving to the King &c. all her righte, title, and interest of primer seison and reliefe, and also all other rights and duties for tenure in socage, or of the nature of socage tenure in chiefe, as heretofore hath bene used, the same lands &c. to be sued out of & from her hands by the person or persons to whom any such lands &c. shall be disposed, willed, or devised, in such and like maner and forme, as hath bene used by any heire before the making of this Stat. And saving also fines for alienations of such lands &c. holden of the King in socage, or of the nature of socage tenure in chiefe, whereof there shall be any alteration of freehold or inheritance made by will or otherwise, as is also sayd. 3. H. 8. c. 1.

3 Every person having any manors, landes, tenements, or hereditaments of estate of inheritance, holden of the Queen in chiefe, by knights service, or of the nature of knights service in chiefe, hath full power by his will by writing or otherwise, by any act or actes lawfully executed in his life, to give, dispose, will, or assigne two parts of the same landes &c. in three partes to be divided, or else as much of the sayd landes &c. as shall amount to the cleere yearly value of ii. partes of the same in iii. partes to be divided.

10. Julii, An. 1540.

Lands holden in socage, and none in chiefe, or by h. service.

Lands holden of the King in socage in chiefe & none holden by h. service.

The King's primer seison and fines for alienations saved.

Lands holden of the Queen in chiefe by knights service.

beid in certainty, & by special deuisions as it may be knowen in feuerallty, to and for the aduancement of his wife, preferment of his chyldren, and payment of his debtes, or otherwise at his pleasure: Sauing to the Q. the custody, wardship, and primer seison of any of them, as the case shal require, of as much of the same lands &c. as shal amount to the full and cleere peerly value of the iii. part thereof, without any diminution, dower, fraude, couine, charge, or abtogeiment of any of the same third part, or of the full profits thereof. Sauing also to the Queene &c. al fines for alienations of all such lands &c. holden of the Queene by knyghts seruice in chiefe, whereof there shalbe any alteration of freehold or inheritance, made by will or otherwise, as is abouesayd, 32. H. 8. 1.

Wardship,
primer seison &
fines for alie-
nations saued
to the Q.
Lands holden
in chiefe, and
other lands
holden by R.
seruice.

¶ Every person hauing manors, lands, tenements, or hereditaments of Estate of inheritance holden of the Queene in chiefe by knyghts seruice, and hauing other lands &c. holden of the Queene, or of any other person or persons by knyghts seruice, or otherwise, shal haue full power to giue, dispose, will, or assigne by his last will in wyting or otherwise, by any act or acts lawfully executed in his life, ii. parts of the same lands &c. in three parts to be deuided, or els as much of the same lands &c. as shal extend to the peerly value of two parts of the same in three parts to bee deuided in certainty, and by speciall diuisions, as it may be knowen in feuerallty, to and for the aduancement of his wife, preferment of his chyldren, and payment of his debtes, or otherwise at his pleasure. Sauing to the Q. the custody, wardship, and primer seison, or any of them, as the case shal require of as much of the same lands &c. as shal amount to the full and cleere peerly value of the third part thereof, without any diminution, dower, fraud, couin, charge, or subtraction of the same third part, or of the full profits thereof, and reseruing to the Q. al fines for alienations for any such lands &c. holden of her by R. seruice in chiefe, whereof there shalbe any alteration of freehold or inheritance, made by will or otherwise, as is abouesayd, 32. H. 8. 1.

wardship,
primer seison,
& fines for alie-
nations saued
to the Queene.

Certaine lands
holden only of
cōmō persons
by knyghts
seruice, & other
in Socage.

The Lord
wardship of
the third part
saues.

¶ If any person hold any manors, landes, tenements, or hereditaments ouely of another person then of the Q. by knyghts seruice and other lands &c. in Socage, or of the nature of Socage tenure, then he may giue, dispose, or assure by his last will, or otherwise by any Act or Acts lawfully executed in his life, two parts of the sayd lands &c. holden by knyghts seruice, or of as much thereof, as shal amount to the full peerly value of two parts, and also all the landes &c. holden by Socage, or of the nature of Socage tenure at his pleasure. Sauing to the Lord of landes &c. holden by knyghts seruice, for his custody and wardshippe, as much of the same lands &c. as shal amount to the full and cleere peerly value of the third part of the same lands &c. holden by knyghts seruice, without any diminution, dower, fraude, couine, charge, or subtraction of any portion of the third part, or of the cleere peerly value thereof, in manner and fourme abovesayd, 32. H. 8. 1.

6 ¶ If any person holde any Manors, Landes, Tenements, or hereditaments, onely of the Queene by knights seruice, and not in chiefe, or holde any lands &c. of our said Soueraigne Lady by knights seruice & not in chiefe, and also holde other landes &c. of any other person or persons by knights seruice, and also hold other lands of any other in socage, or of the nature of socage tenure, then euery such person shall and may giue, dispose, deuise, and assure by his last will, or otherwise, by any act or acts lawfully done or executed in his life, two parts of the same landes &c. holden of the Queene by knights seruice, and two parts of the same lands &c. holden of any other person or persons by knights seruice, or as much of either of them, as shall amount to the full peereley value of it. parts, and also all his landes and tenements so holden in socage, or of the nature of socage tenure, at his pleasure. Sauing to the Queene the custodie and wardshippe of asmuch of the same landes &c. as shall amount to the cleere peereley value of the third part of the said landes &c. so holden of her by knights seruice, without any diminution, dowry, fraude, couin, charge, or subtraction of any portion of that third part, or of the full profits thereof. And also sauing to the Lordes of whom any of the sayd landes &c. be holden by knights seruice, for custodie, and wardship, as much of the same landes &c. holden of them or any of them by knights seruice, as shall amount to the cleere peereley value of the third part of the same without any Diminution, Charge, couin, or subtraction of any portion of that third part, or of the cleere peereley value of the third part thereof, in maner and forme aforesayd. 3 2. H. 8. 1.

Certain landes holden of the Queene, & certayne of others by knights seruice, & other landes holden of others in Socage.

The Queene & other Lordes third part sau'd.

7 ¶ If that third part of the landes &c. which in any of the cases abovesayd, shall come to the Queene, her heires &c. by vertue of this act, be not, or doe not amount to the cleere peereley value of the full third part of the said landes &c. whereof the Queene shalbe intituled to haue the custodie or primer seisin, as is abouesaid: Then our sayd Soueraigne Lady and her heires, shall and may at her or their free liberte, take into her or their possession, as much of the other two parts of the said landes &c. as with that of the same landes &c. remayning in her hands, shall make up the cleere peereley value of the full third part of the said landes &c. so to bee had to the Queene in title of wardship and primer seisin or any of them as the case shall require. And like benefice shalbe giuen to euery Lord, of whom any such landes &c. shall be holden by knights seruice, concerning onely this third part, of, or for title of wardshippe. 3 2. H. 8. 1.

The Queene or other Lord may take so much as will make up their full third part.

8 ¶ Euery person or persons shall sue their lueries for possessions, reuerfions, and remainders, and also pay reliefes, and heriots after such maner and forme, as they shauld or ought to haue done before the making of this Act. And fines for alienations shall be payde in the Q. Chauncery, for and upon writs of Entry in the Host to bee obtained in the same Court for common recoueries to be had or suffered of any landes &c. holden of the Q. in these, in like maner and forme as is vled vpon Alienations of such landes &c.

Suing of lueries.

Fines for alienations vpon common recoueries.

Willes and Testaments.

to holden in chiefe by fine or scoffement. But in such cases where fines for alienations shalbe payed in the Chauncery for wyttes of Entree in the Host, as is aforesayd, then none other fine shalbe payed in the same Court for any such wyttes. 32. H. 8. 1.

The woman's title of dower in the il. parts saved.

The reversion saved to the A. after tenant in dowers death.

The exposition of the aforesaid stat. of 32. H. 8.

The stat. extendeth only to fee simple lands.

Sole tenant, tenant in common & coparcenary, in fee of lands in possession, in reversion, remainder.

Devising of rent of common out of land.

Certain lands holden of h. A. by knights service in Capite, and of other persons.

9 ¶ Having to all and every woman and women, all and every such right, title, and interest of dower, as they or any of them ought or shall be lawfully intitled to have, clayme, or demand of any Manors, Landes, Tenements, or Hereditaments, by the Lawes of this Realme, to be assigned to them or any of them out of the two partes of the sayde Landes &c. severed from the third part, as is abovesayd, and not other wise. And saving also to the Queene her heires and successors, the reversions of all such tenants in dower and ioynture, immediately after the death of such tenants, if they shall happen to die during the minoritye of the Queenes warde. 32. H. 8. 1. For the case of ioynture S. Wardes 25.

10 ¶ Where it is contained in the same statute of 32. H. 8. within divers branches of the same, that all and singular person or persons, having any manors, lands, tenements, or hereditaments, of estate of inheritance, should have free libertie to give, will, dispose, or assigne as well by his last will and testament in writing, or otherwise, by any act or acts lawfully executed in his life, his manors, lands, tenements, or hereditaments, or any of them, in such maner, as in the same act it doeth appeare, which wordes of estate of inheritance by the authority of this Parliament, are and shalbe expounded, taken, and iudged of estates in fee simple onely. 34. H. 8. 5.

11 ¶ All and singular person and persons, having a sole estate or interest in fee simple, or seised in fee simple in coparcenary, or in common in fee simple, of and in any manors, lands, tenements, rents, or other hereditaments, in possession, reversion, or remainder, or of rents or services, incident to any reversion or remainder, and having no manors, landes, tenements, or hereditaments holden of the Queene &c. or of any other person or persons by knights service, shall have free libertie and power, to give, will, dispose, or devise, to any person or persons (except bodies politike and corporate) by his last Will and Testament in writing or otherwise, by any Act or Actes lawfully executed in his life, by him selfe solely, or by him selfe and other ioyntly, severally, or particularly, or by all those wayes or any of them, as much as in him of right is or shall be, all his sayde Landes &c. or any of them, or any Rents, Commons, or other commodities out of, or to be perceived of the same, or out of any parcell thereof at his owne pleasure. 34. H. 8. 5.

12 ¶ Every person having a sole estate or interest in fee simple, or seised in fee simple in coparcenary, or in common in fee simple, of, or in any manors, lands, tenements, rents, or other hereditaments, in possession, reversion, or remainder, or of and in any rents or services, incident to any reversion, or remainder, holden of the Queene by knights service in chiefe, or of the nature

nature of Knights service in chief shall have full power and authoritie to give, dispose, will, or assigne to any person or persons (except bodies politike and corporate) by his last will and testament in writing, or other wise, by any acte or actes lawfully executed in his life, by himselfe solely, or by himselfe and other jointly, severally, or particularly, or by all those wayes or any of them as much as in him of right is or shalbe, two parts as well of the sayde lands &c. as of all and singular his other rents and hereditaments, or of any of them, or any rents, commons, or other commodities out of, or to be perceived of the same two parts, or out of any parcell thereof in thre parts to be divided, or as much thereof as shal amount to the full and cleare yereley value of ii. parts thereof in iii. parts to be divided, of what person or persons soever they be holden at his pleasure. And the saide Will so declared shal be good and effectual for two parts of the said lands &c. although the Will be made of the whole, or of more then of ii. parts of the same. The same division to be made and set forth by the deviser or owner of the same lands &c. by his last Will in writing, or other wise in writing, and in default thereof by a Commission to be granted out of the Queenes Court of Wards and Liveries, upon the inquirie of the true value thereof, by the othes of xii. men, and returne or certificate thereof had in the same court of the said lands &c. division to be made by the Spallier of the Wards and Liveries, if the saide Spallier and the parties thereunto cannot otherwise agree upon the same division. And the issues and profits of the two parts of the same lands &c. upon every such division to be restored to them that shall have right or title to the same, from the death of the owner or deviser thereof. 34. H. 8. 5.

13 Every person having a sole estate or interest in fee simple, or separated in fee simple in coparcenary, or in common in fee simple of and in any manors, lands, tenements, reves, or other hereditaments, in possession, reversion or remainder, or of and in any rents or services incident to any reversion or remainder, holden of the Q. &c. by knights service and not in chief, or holden of any other person or persons by knights service, shall have full power to give, dispose, will or devise, to any person or persons (except bodies politike and corporate) by his last Will and testament in writing or other wise, by any act or actes lawfully executed in his life by himselfe solely, or by himselfe and other jointly, severally, or particularly, or by all those wayes or any of them, as much as in him of right is or shalbe two parts of all the saide lands &c. or any of them so holden by knights service, or any rents common or other profits out of, or to be perceived of the same two partes or out of any parcell thereof, in thre parts to be divided, or as much thereof as shal amount to the full and cleare yereley value of two parts thereof in iii. parts to be divided at his pleasure. And the said will so declared shall be good for ii parts of the said lands &c. although the same be made of y whole lands &c. so holden by knights service, or of more then of ii. partes of the same, and also for the whole of all other such Landes &c. or any of them, not holden of

It will good for ii. parts though it be made for the whole.

Division of the lands where the Q. is intitled to a third part.

Certain lands holden of the Q. or others by knights service & certain in socage.

It will made of the whole shalbe good for two parts.

Willes and Testaments.

the Queene by knight service in chiefe, or other wise by knights service, nor of any other person by knights service, and of any rents, commons, or other commodities out of, or to be perceiued of the same, or out of any parcel thereof at his free will: The same diuision to be made and set forth by the owner of the said lands &c. by his last will in writing, or otherwise in writing, and in default thereof, for as much of the same landes &c. as shall concerne the Queenes interest, by commission to be directed out of the Queenes court of Wards and liueries if the master of the Wards &c. and the parties thereunto can not otherwise agree vpon the same diuision. And restitution of the issues and profits of the two partes thereof shalbe made in maner and forme abouesaide. And for such of the same landes &c. as shall concerne the interest of any other Lorde or Lordes by commission to be graunted out of the Chauncerie, to enquire thereof by the othes of xii. men, if the same Lorde or Lords, and the partie thereunto cannot otherwise agree vpon the same diuision. 34. H. 8. 5.

An exposition
of the sauinge,
reseruings, &
prouisions
made in these
two Actes.

14. ¶ The sauinge, reseruings, and prouisions concerning sauinge of the custodie, wardship, reliefe, and primer seisin to the Queene of such landes &c. or as much thereof as shal appertaine vnto her by vertue of these two actes, during the Queenes interest therein: And also of the custodie and Wardshippe to other Lords of as much of such landes &c. holden of them as shall amount to the cleare perely value of the third part thereof aboue all charges, without any diminution &c. comprised in diuers articles in the saide former acte of 32. Hen. 8. contained, bee and shall be expounded, and taken as hereafter ensuech, vz. The Queene shall haue and take for her full thirde part of all such landes &c. whereunto shee is or shall bee intituled by the sayde former Acte, and by this Acte, such landes &c. as shall by any meanes descend, or come by discent, as well of estate of inheritance, in fee tayle, as in fee simple, or in fee tayle onely, to the heire of any such person that shall make any will, gift, disposition, or deuise by his last will in writing or by any Acte or Actes lawfully executed in his life, immediatly after the death of the same deuisor or owner thereof, And the will, gift, and deuise of euery such Deuisor or owner, of and for the two partes of the saide landes &c. residue, shall bee and stande good in the Lawe, albeie the same bee had and made of all his fee simple landes &c. or of the moze part thereof. And in case the same landes &c. which after the death of any such owner or deuisor that shall make any such gift, disposition, or deuise by his last will in writing, or otherwise by any act or actes lawfully executed in his life, to his wife, children, or otherwise as is aforesayde, which shall immediatly after his death discent, reuert, remayne or come to his heire or heires, as well of estate of inheritance in fee tayle, as of estate in fee simple or fee tayle onely, bee not, nor shall not amount to the full cleare perely value of the full third part, with the full profits thereof, of all the sayde Landes &c. of the sayde deuisor or owner according to the true intent of the sayde former Act,

and

A remedie for
the 2. or other
Lords, where
a full third part
is not left
them.

and of this act: That the Queene shall by maye haue and take into her hands
to make up her full chiefe part with the full profits thereof according to her
interest therein, as much of the other landes &c. willed, giuen, disposed, or as-
signed by any such person to his wife, children, or other will as is aforesaid, as
with such of the same landes &c. descended, or by any meanes come vnto the
heire (as heire of any such decessor or owner) shall make by the cleere peere-
tye value of the sayde fullthird part, with the full profits thereof of all the said
landes &c. of every such owner or decessor so to be had to the Queene in title
of wardship or primer seisin as the case shall require. And the diuision there-
of to be had and made and with the restitution of the profits of the two parts
of the sayde landes &c. in such manner and forme as is aboue rehearsed.
And like benefite shall bee giuen, had, and taken to euery lord of whom any
such landes &c. be or shalbe holden by knights seruite in manner and forme
aforesaid, concerning onely his third part thereof according to his interest
therein. 34. H. 8. 5.

15. ¶ If it happen the same third part, or any part thereof left, willed, or assigned to the D. or other lord, at any time during their interest therein to be lawfully evicted or determined: Then the Queen and the other lord shall have as much of the two parts residue, as shall make up a full third part in cloere yeerely value, after the rate and portion of such lands &c. as shall then remaine of the same third part not evicted or determined, and of the other ii. parts of such lands &c. as the D. or other lord should or ought to have had by vertue of the sayd former act, and this act, and the same to be devised in forme above rehearsed. An. 7. H. 8.

16 The saving and reserving for fines for alienation by any such
 last Will and Testament of such Landes &c. holden of the Queene by
 Knights service in chiefe, or of the nature of Knights service in chiefe, or by
 Socage in chiefe, or of the nature of Socage tenure in chiefe, or for fines for
 Alienations of such Landes &c. whereof there shall bee any alteration of
 free holde, or of inheritance made by any such last Will comprised in sun-
 dry Articles mentioned in the sayde former Act, bee, and shall be intended
 and iudged, that all such person or persons to whome the sayde landes &c.
 by any of them be or shalbe given or bequeathed by any such last Will, shall bee
 exonerated and discharged for ever against the Queene her heires and suc-
 cessours for all such fines for Alienations, by any such last Will or Testa-
 ment, without licence, by giving forth of the Queenes pardon for alienation
 out of the Chancery or paying to the Queene, her heires or successors for the
 fine of every such Alienation, the third part of the pecuniy value of the same
 Mannors, Landes, Tenementes, or other hereditaments to him or them
 beilled or bequeathed. And this Act shall bee a sufficient warrant to the Lord
 Chauceler, or Keeper of the great Seale for the time being for the graun-
 ting out of the sayde Pardons under the great Seale &c. Anno tricilingo
 quarto D. 8. 5.

A remedy for
the Queene or
other Lord if
their third part
be exacted.

[illegible]

2

RECEIVED
JAN 1 1964
U.S. AIR FORCE

1945

2

2

2

Page 10

20 paragon of

alienation must
be filed by
those to whom

lands holden
in Capite, des
nied.

1150

Woman co-
vert.
Infants.
Idors.
Imatikes.

Contribution
for any lands
taken away by
the A. or other
Lords.

Widowes
may bequeeth
their crosse.

Incumbent.
may bequeeth
the crosse of
his glebe.

Prices of
wines shalbe
assessed by the
chiefe magis-
trates.

27. **W**illes of testament made of any man's, ladies, gentlemen, or
other hereditaments, by any woman covert, or person under the age of one
and twenty years, Idors, or by any person de non sana memorie, shall not
be taken to be good or effectually in the law. 34. H. 8. 5.

28. **A**ll and every person and persons from whom the Queene or o-
ther Lord or Lordes shall take any landes, &c. for her or their full third part,
or to make up her or their full third part, shall or may upon his or their bill
exhibited in the Chaucery against all and every such person and persons
which shalbe intitled by or under any such will, gift, disposition, or devise,
to the other two parts, have such contribution, or recompense for the same,
as by the Chancellor of England, or by the keeper of the great Seale for the
time being, shalbe thought good. 34. H. 8. 5.

29. **B**ut this act and explanation doth not extend to the will or devise
of Sir John Gynsford, Sir Peter Fitzpoy, Richard Cuswell, or of Tho-
mas Unton, or shalbe hurtfull to any persons concerning any landes, heredi-
taments &c. contained and specified in any of the sayd willes or devyses, but
the sayd willes and currey of shrim, shall remaine in the same effect to all in-
tents as they were before. 34. H. 8. 5.

30. **A**ll widowes may bequeeth the crosse of their ground as well of
their dowers, as of other their landes and tenements; Saving to the Lords
of the see, all such services as be due for their dowers and other tenements.
Merton. 20. H. 3. 2.

31. **I**n case any Incumbent happen to die, and before his death hath
caused any of his Glebe landes to be manured and sown at his proper
costes with any Corne, then every such Incumbent may make his Testa-
ment of all profits of the Corne growing upon the same Glebe landes so
manured and sown. 28. H. 8. 17. S. Ecclesiastical. 30.

1. For the proving of willes, committing of administration, the ordi-
nary & his ministers fees and duties, herefore. S. Probate of testaments.

2. Fraudulent willes to defeat the lord of wardship or other advan-
tages. S. Wardes. 24.

Wines.

The Lord Chancellor, Lord Treasurer, Lord President of the Queenes
Counsell, Lordes Privy Seale, and the two chiefe Justices of eyther
Bench, or five, or four, or three of them have authoritie by their discretions to
see the prices of all kinde of wines, viz. of the prices of the But, Tunne, Pipe,
baghen, ponceon, tierce, barrell or runlet, when & shall be sold in grosse, so
that they or any of them cause the prices by them set to be written, and open
Proclamation thereof to be made in the Chaucerie openly in the terme time,
or els in the Citie, Borough, or towne where any such wines shal be sold
in grosse. 28. H. 8. 14. And by the Statute of 37. H. 8. 23. the said persons
shall yearly set the prices of all kind of wine, mentioned in the before said act,
betwene the xx. day of November, and 2 last of December, and at no other
time.

time. S. 3. Co. 6. 17. and the said statute of 37. H. 8. and **Quere** if this last part of the branch remaine in force.

¶ If any person after such pices be set and put in writing by the sayd Lordes or by writt, or ill. of them, and proclamation thereof had (as aforesaid) doe sell any wines in grosse, by any contr. contrary to the sayd pices so set and proclaimed, then he shall forfeite for every vessel by him sold in grosse contrary to the sayd pices s. s. the one halfe to the Queene, and the other halfe thereof (if it bee in any citie, borough, or towne corporate) to be to the Mayor, Sherifes, Baylives or other head rulers thereof, and if it be without cite or town, then to be to the Queene and J. pr. to be recovered by A. J. pr. wherein no ill. C. P. ec. 28. H. 8. 14.

¶ Every merchant and other person which shall have wines to be sold, and refusing to sell or deliver, or not selling any of the same wines for ready money therefor to be payed according to the pice thereof then being set, shall forfeit the value of the wine so required to be bought, to the Q. & J. to be recovered by A. J. pr. wherein no ill. C. P. ec. 24. H. 8. 6.

¶ It shall be lawfull to all and singular Justices of peace, Mayors and other head officers, in shires, cities, boroughs, and townes, and in other places of this realme within the precincts of their offices, at the request of any of the Queenes subjects to whom any denier of sale, or from whom any restraint of sale of any such wines shall be made, and full payment thereof without delay offered to be made according to the pices then set by the sayd Lordes and Justices or to enter into the houses, cellars, and other places where such wines shall lye, and to sell and to deliver the same desired to be bought, to the person requiring to buy the same, taking of the buyer thereof to the use of satisfaction of the said owner aforesaid, after the rate of the pices thereof set, as is aforesaid, 24. H. 8. 6. S. 37. H. 8. 23. somewhat the like matter, and **Quere** if it remaine in force. S. 3. Co. 6. 17.

¶ If at the time of any such sale of wine purposed to be made, the merchant, vintner, or other owner thereof, doe truly shewe to the sayd Justice or head Officer purposing to make the sayd sale, what and how much wine he then shall have, and dispose upon his bodily othe, to be made and given by the discretion of the same Justice or head Officer, that he keepeth the same wines, to the intent surely to buye and expende the same in his house by retape, or otherwise, and not to sell any of them in grosse: Then the same Justice, or other shall keepe the same wines without any sale, and without any forfeiture for refusal or restraint of sale thereof. And in case this after such othe the same owner doe sell the same wines, or any of them in grosse, by the Cunnell, Butte, Tierce, Pipe, Faggot, Barrel, or Bunch, he shall lose the double value of all such wines so sold in grosse, to the Q. & J. to be recovered by A. J. pr. wherein no ill. C. P. ec. 24. H. 8. 6.

¶ No person inhabiting within any of the Queenes dominions of

Quere.

The for. of the which sell wines in grosse contrary to the pices assayed.

Denying to sell wines at the pices assayed.

Where Justices of peace or other officers may sell other mens wines.

He p. keepeth wine to spend in his house, or to retape, shall not be forced to sell it.

The prices of
wines by retail
measure.

1410. 1411. 1412.
1413. 1414. 1415.
1416. 1417. 1418.
1419. 1420. 1421.

Prices of
wines assessed
by the Queenes
proclamation.

1410. 1411. 1412.
1413. 1414. 1415.
1416. 1417. 1418.
1419. 1420. 1421.

None shall res-
table wines
but in market
townes &c.

Winners in
corporate
townes assig-
ned by the
head officers.

England or Wales, shall utter by retails by small measure, by, by gallon, or any other measure of greater or lesse quantitie, any Gascoine, Guyon, or French wines, but after the rate of eight pence the gallon, nor any Rochel wines at greater prices then after the rate of six pence the gallon, nor any other wine at greater price then after the rate of six pence the gallon at the most, upon paine that every person doing the contrary, shall forfeite for every such offence v. li. to the Queene and A. to be recovered by A. J. &c. wherein no W. C. P. &c. 7. Ed. 6. 5. But all any every person and persons which he or she shall be by the lawes and statutes of this Realme, or otherwise authorised to sell wines by retails, in the severall Counties and places where they be, or shall be so authorised, shall and may sell the said wines by pint, quart, portell, gallon, or otherwise, at such price or prices and in such forme as shall be limited by the Queenes proclamation in that County or place, made with the assent of such lordes and other persons as by the foresaid statute of 28 Hen. 8. were authorised to set price upon wines in grosse, without any paine or forfeiture for the same any law, or notwithstanding. 5. Ed. 6. 7. C. 1. to continue to the next Parliament now next ensuing.

7. C. 1. It shall not be lawfull to any person, within any of the Queenes dominions aforesaide, except he shall and may dispend in lands or other per-sonal profits certaine, the summe of C. markes, or els be touch of his owne pro- perty goods, and catells C. markes, or shall be the sonne of a Duke, Marquess, Earle, Viscount, or Baron of this Realme, to have or keepe in his house or custody any vessel of any of the said wines of Gascoine, Guyon, French, or Rochel wines, containing above x. gallons, to the intent to spende the same in his house, by any colour or meanes, upon paine to forfeite for every such offence x. li. to the Q. and A. to be recovered by A. J. &c. wherein no W. C. P. &c. 7. Ed. 6. 5.

8. C. 1. It shall not be lawfull to any person within any of the sayde domi- nions to keepe any Taverne, or to sell or utter by retails by the gallon, or lesse or greater measure, in any place, any of the sayd wine within any of the sayd Dominions, except it be in Cities, townes corporate, boroughs, port townes or market townes, or in the townes of Straelsend, Sittingborne, Turfoid and Baggeshot, upon paine that every person that shall so offend, shall forfeit for every day so offending x. li. to the Q. and A. to be recovered by A. J. &c. wherein no W. C. P. &c. 7. Ed. 6. 5.

9. C. 1. It shall not be lawfull to any person or persons to keepe any Taverne, or sell or utter by retails by the gallon, or lesse or greater measure, in any Citie, Borough or towne corporate, any maner of wines, but only such person and persons as shall be assigned by the head officers of the said Citie, Borough or towne corporate, or in the townes of Straelsend, Sittingborne, Turfoid and Baggeshot, upon paine that every person or persons that shall so offend, shall forfeit for every day so offending x. li. to the Q. and A. to be recovered by A. J. &c. wherein no W. C. P. &c. 7. Ed. 6. 5.

common

common seale of such Citie, Borough &c. any shall continue in their force, or be changed, at the election and pleasure of the head officer or officers, and the most part of the common Councill, Aldermen, Burgeses, Jurats, or Communitie for the time being of such Citie, and Borough &c. by writing, and under such common seale, as is aforesaid. Nor it shall be lawfull to any person or persons to keepe any Tauerne, or to sell or utter any wine by retails, as is aforesaid, in any Citie, Borough, Port Towne, or Market Towne not corporate within England or Wales, or in the saide townes of Grauesende, Sittingborne, or Bagghat, but onely such person or persons as thereunto shall be nominated and appointed, by all or the most part of the Iustices of peace of such Countie where such Tauerne or selling of wine by retails shall be allowed, as shall be present at the general sessions for the time being, holden within euery of the saide Counties, the saide appointment to be had and made in full session, by writing under the seuerall seale of euery of the saide Iustices, and to be continued, altered, or changed in like forme and by like authoritie, as is last aforesaid, upon paine that euery person that shall sell or retails any wine being not thereunto licensed, and authorised as is aforesaid, shall forfeit for euery day that he shall so offend v. li. to the D. and T. to be rec. by A. T. wherein no W. C. P. &c. 7. Ed. 6. 5.

¶ No person or persons hauing authoritie by this act to nominate or assigne, what persons shall tauerne, utter, or sell wine by retails, as is aforesaid, shall appoint by his or their writing any greater number of Tauerne or wine sellers then two, by retailers to sell or utter wine, or keepe or continue any Tauerne at any time in any one Citie, Borough, Towne corporat, port towne, or market towne, or in Grauesend, Sittingborne, or Bagghat (all and euery such citie and towne hereafter expressly named, onely except.) And it shall not be lawfull to appoint by writing in the Citie of London to sell or utter wine by retails, at any time, above the number of fourtie Tauerne or wine sellers, and in Dorch. eight, in Norwich xii. in Westminster xii. in Bristow vi. in Lincoln xii. in Kingston vpon Hull xii. in Shrewsbury xii. in Excester xii. in Salisbury xii. in Gloucester xii. in Westchester xii. in Hereford east xii. in Worcester thre, in Southampton xii. in Conterbury xii. in Ipswich xii. in Winchester xii. in Oxford xii. in Cambridge xii. or Colchester xii. in Newcastle vpon Tyne xii. tauerne or wine sellers, upon paine that euery person authorised by this act to assigne tauerne or wine sellers, to forfeit for euery nomination or appointment by him made contrary to the forme of this act, v. li. to the D. and T. to be recovered by A. T. &c. wherein no W. C. P. &c. 7. Ed. 6. 5.

¶ No person shall sell or utter by retails any kind of wine to be drunk or spent in his mansion house, or other place in his tenure or occupation by any colour, craft, or means, upon paine to forfeit for euery such offence x. li. to the D. and T. to be rec. by A. T. &c. wherein no W. C. P. &c. 7. Ed. 6. 5.

¶ And it shall be lawfull to euery Marchant, aduocating for the

Wintners in
Townes not
corporate as
signed by Iu-
stices of peace.

How many
Tauerne may
be appointed
in euery Citie
or Towne.

No man shall
retails wine to
be spent in his
house.

These may
keepe & spend
wine in their
houses.

same as his owne costs, to keepe to spend in his owne house such wine or
vines, as hee shall transport or cause to be transported into this Realme, or
any part thereof, nor taking any money or other recompence for the same,
that shalbe so spent in his house: And it shalbe lawfull to every high sheriffe
of every Countie, Mayor, Bailiffe, and sheriffe of every Citie, and Towne
corporate during his or their office of charge, and to every other person dwell-
ling in any of the Duchies, fortres, or townes fortified, and kept for the
warres during his dwelling in any such fort or towne of warre, to haue wine
in his house by the vessel, to spend the same in his house, without taking any
money or other recompence for the same so spent in his house or other place
in his occupation. 7. Ed. 6. 5.

Within what
time the foal
shalbe taken.

13. ¶ This act shall not extend to charge any person with any penaltie
or forfeiture concerning any offence to be done contrary to the tenour thereof,
vntil the offence be such, indicted, or presented for the same, within one
petre next after the same offence committed. 7. Ed. 6. 5.

The liberties
of Cambridge
and Oxfoꝝ
reserved.

14. ¶ This Act shall not bee prejudiciall to any of the Universities of
Oxford and Cambridge, or to the Chauncellor or schollers of the same, or
their successors or any of them, to impair or take away any of the priu-
ledges, franchises, or authorities to them, or any of them belonging, but they
and every of them, and their successors, may haue, use, and enjoy all their
priuiledges, franchises, &c. so that there bee not any greater number of Ca-
uernes kept within any of the said townes of Oxford or Cambridge, then
may be lawfully kept by the provision of this Act. 7. Ed. 6. 5.

Wines shalbe
assayed, & the
corrupt potw-
red out.

15. ¶ Assay shall be made of wines twice every peere, once at Easter, and
another time at Michaelmas, and more often if neede be, by the Lords of the
counes, and their bailifes, and also by the Mayor and bailifes of the same
counes, and all wines that shalbe found corrupt, shalbe potwred out, and the
vessels broken, and the Chauncellor and Treasurer, Justices of the one
Bench and the other, and Justices of assise, haue power to enquire of the
Mayors and ministers of counes, if they doe not according to this statute,
and besides that to punish them, as reason shall require. 4. Ed. 3. 12.

The contents
of each vessel
of wine.

16. ¶ No merchant, nor other person, shall bring or cause to be brought
into this Realme any Butt of Raimsey to be sold, vntil it doe containe
in measure no the least 126. Gallons. Nor no manner of vessels, with any
manner of wines whose soeuer they be, or of what Countrey soeuer they be,
nor no manner of vessels of Oyle, vntil the same vessels of Oyle
doe containe the measure and assise following, viz. Every Tunne to con-
taine 252. gallons, every Pipe 126. gallons, every Tercian, 8. Bush-
thins 84. gallons, and every Hoggehead 63. gallons, and every Tierce
42. gallons, and every Barrell 31. gallons and demy, and every Ringer
10. gallons, and every Gallon 12. pints. And the vessels of Oyle and
brought into this Realme to be sold, shall not be put to sale vntil they
be well and truly gauged by the Duchies Gauger, or his sufficient
deputie,

Each butt of
wine and oyle
shalbe gauged.

deputie; vpon paine to forfait to the Queene all the sayde wines and oyle
solde contrary to this ordinance, or the value of the same. 18.H.6.17.1.B.
3.13.28.H.8.14. Every Tunne, Pyper, Tercian, and other vessell aforesayde,
of hony, shall containe the quantitie aforesayde, and bee gauged, in
maner and forme aboue expessed; vpon the paine aboue limited. And e-
uery Gaugeour shall haue for his labour for the gauging of euery Tunne
and Pyper of Oyle and Hony, as hee taketh for euery Tunne and Pyper of
Wine; and for euery Tercian and Hoghead after the rate. 18.H.6.17.
S.Hony.1. This ass. somewhat altered.

The contents
of a vessell of
hony.

17 Every Gaugeour within this Realme, shall truly and effectually
within the limits of his office, gauge all the sayde Tunnes, Butts, Pipes,
Terces, Puncions, Tercians, Barrells, Hogheads, and Rundlets, and shal
plainly and truly marke vpon the head of euery such vessell the content of
the same, vpon paine to forfait to the partie, to whose vse the wine, oyle, or other
thing therein being shall be solde 4. times the value of that which the vessell
so marked shall lacke of his lawfull content abouesaid: The same forfeiture
to be recovered ouer and aboue the costs of the sute, by the Queenes origi-
nall writ, or by bill, in any of the Queenes courts of her common lawes, or
in any Comptre court, hauing iurisdiction in the place where that offence
shall be committed, by A. or B. of debt, wherein no W.C.P. &c. And euery
person selling the sayde Wine, Oyle, or other thing contained in the sayde
vessell marked, shall allowe the price thereof to the buyer of the same for
euery quantitie of Wine, Oyle, or other thing contained in the said marked
vessell, the full value of the lacke thereof being by reason of default of full
gauge of the vessell marked, or of default of filling of the same vessell after
the rate of the whole price of the Wine, Oyle, or other thing so being solde
by the vessell marked, vpon paine of forfait to the same buyer, the double value
of the same vessell and wine, oyle, or other thing therein being so solde, the
same forfait to be recovered together with the costes of the suit in forme aforesaid.
28.H.8.14. 1.R.3.13. 18.H.6.17.

The Gauge-
our is to say, if the
vessell lacketh
his content.

How he shalbe
recompensed,
which lacketh
his measure of
wines or oyle.

That Marchants Aliens shall cary no wines out of the Realme, but
shall sell them here in grosse, and in none other maner. S. Marchantes
14. 10. what vessels any French wine may be brought into this Realme.
S. Shippes 4. 5. What Custome or Subsidie shall be payed for sweete wines brought
in. S. Custome. 3.

What wine
shall be sold
in the Realme
in the countie
of Northampton

Witnesse.

If any person vpon whom any processe out of the Courts of Record is
in this Realme or Wales, shall be served to witte or depose, concerning
any matter depending in any of the same Courts, and hauing tendered him
according to his countenance or calling, such reasonable summes of money,
for his costes and charges, as (hauing regard to the distance of the place) is
necessary to be allowed in that behalfe, do not appeare according to the tenor
of

It witnesseth vpon
on Procces
served vpon
him, and his
charges tenders
red. shall ap-
peare.

of the said proces, having not a lawfull and reasonable let to the contrary: Then the partie making default, shall forfeit for every such offence x. li. and shall paye such further recompence to the partie grieved, as by the discretion of the Judge of the court, out of the which the said proces shall be awarded, according to the losse and hinderance of the partie which procured the said proces shall sustaine, by reason of the non apparance of the said witness: the said severall summes to be recovered by the partie so grieved, against the offender by A. J. &c. in any of the Queenes courts of Recorde, where in no C. E. P. &c. 5. Cl. 9. 14. Cl. 11. 27. Cl. 11. to continue untill the ende of the next Parliament, now next ensuing.

Proces as
against the wit-
nesses of a
decede demid.

¶ When a decede, release, acquittance, or other writing is denied in the Queenes Court, wherein witnesses be named, proces shall be awarded to cause such witnesses to appeare, so that if none of them come in at the great distress returned, or if it be returned, that they haue nothing, or that they cannot be found, yet the taking of the enquest shall not be deferred by the absence of such witnesses. And if the witnesses doe come in at the great distress, and the enquest for some cause remaine untaken, the witnesses that come in, shall haue like day given them, as is assigned for the taking of the enquest, at which day, if the witnesses doe not appeare, the issues that were first returned upon them shall be forfeited, and the taking of the enquest shall not be deferred because of their absence. And for absence of witnesses dwelling within franchises wherethe Queenes writt originall doth not lie, the taking of an enquest shall not be deferred, 1. C. 2. 2.

Writ of writt
of writt
of writt
of writt
of writt

¶ For the trial of a decede where the witnesses be of a Countie where the Queenes writt runneth not. S. Trial. 9. In what sort the shall be punished, which procureth any witness to commit wilfull perjury, or being a witness doth commit wilful perjury, S. Perjury. 1. 2.

There shall be
22. standils left
in an acre of
wood at the
selling thereof.

¶ And upon all and singuler severall woods, commonly called Coppies Woods, or under woods, which shall be felled at xiii. yeeres growing or under, there shall be left standing and unfelled for every acre of wood, that shall be felled within the said coppies, xii. standils, or Roysers of Oke, and if there be not so many standils of Oke, then there shall be left so many of other kind, viz. of Elm, Alb, Aspe, or Beech, as shall make up the said number of xii. likely to be timber trees, the same to be of such standils as haue bene left there standing at any felling of the same wood 40. yeres past. And in case there be no such Roysers there standing which were there left at the last felling of the same woods: Then the same standils shall bee left at the next felling of the said woods, viz. of such most likeliest Okes, and if there bee not sufficient of Okes, then of the most likeliest Elms, Alb, Aspe, or Beech, to prooue timber trees, as shall growe within any such severall woods, coppies, or under woods. And the same standils so left, shall bee preserved and not felled

Writ of writt
of writt
of writt
of writt
of writt

felled till euery of them shalbe of tenn yches square, within iii. foote of the ground, vpon paine that euery owner of euery such standils, hauing an estate of inheritance, or for terme of life, of freehold, or by copie of Court rol, or for peeres in that ground where the same standils shall grow, causing any such woods to be felled, and not leauing the said stoxers there standing in foyme aforesaid, to forsaite for euery standill so not left standing in the saide woods &c. iii. s. iiii. d. and vpon paine that euery owner, as is aforesayde of any such woods &c. causing any of the said standils so left, to be cut downe contrary to the foyme of this act, to forsaite for euery of the saide standils which shall bee cut downe, iii. s. iiii. d. to the D. & J. to bee recouered by A. J. &c. wherein no *III. E. 1. p. 35. H. 8. 17. 13. Cl. 25.*

How long the standils left, shall remaine unfelled.

2 *¶* All and singular copies and vnderwoods which shalbe felled at xiiii. peeres growth or vnder, and not being aboue the said age from and after the xx. day of Aprill, next after the felling thereof, during the terme of vi. peeres then next ensuing, shall be sufficiently inclosed, or the springes thereof otherwise saued from destruction by any maner of cattell by him which then shall haue lawfull interest and possession in the said woods &c. vpon paine of euery person so bounden to inclose, or p̄serue the said woods, to forsaite for euery rodde thereof so not inclosed or p̄serued during the said vi. peeres iii. s. iiii. d. for euery moneth that the same woods shalbe vnclosed, or not so p̄serued &c. 35. H. 8. 17. 13. Cl. 25.

Woods felled at or vnder xiiii. peeres growth, shalbe p̄serued vi. peeres.

3 *¶* All and singular copies or vnderwoods, which shall be felled, being aboue the age of xiiii. peeres growth, and not aboue the age of xliiii. peeres growth, from the twentieth day of Aprill, next after the felling thereof, during the terme of eight peeres next ensuing the same twentieth day of Aprill, shalbe sufficiently inclosed, or the springes thereof otherwise p̄serued from destruction by any maner of cattell, by such which then shall haue lawfull interest and possession in the saide woods &c. vpon paine of euery person so bound to inclose or p̄serue the sayd woods, to forsaite for euery Rod not so inclosed or p̄serued during the said eight yerres iii. s. iiii. d. for euery Moneth that the same woods shalbe vnclosed and not p̄serued, as is aforesaid. 35. H. 8. 17. 13. Cl. 25.

Woods felled aboue xiiii. peeres growth and vnder xliiii. shall be p̄serued viii. peeres.

4 *¶* No person shall conuert into pasture or tillage, any such coppies or vnderwoods, containing in quantity ii. acres or aboue, which now, viz. 14. die Januarii. An. Do. 1543. & 35. H. 8. be woods or vnderwoods, and put or referued to the vse or increase of wood, or vnderwood, & being twofurlongs distant from the house of the owner thereof, or from the house whereunto the said wood doeth lie or belong, vpon paine to forf. for euery acre of wood so to be conuerted from wood into pasture or tillage xl. s. But this Act shall not extend to any coppies, woods, or vnderwoods destroyed or turned into tillage or pasture within xx. peeres last past, (viz. before 14. die Januarii. An. Dom. 1543.) although the moze part or any part thereof bee ouergrown with bushes or vnderwoods, 35. H. 8. 17. 13. Cl. 25.

No woods shalbe conuerted into tillage or pasture.

At the felling
of wood about
xiii. peeres
growth, there
shalbe xii. trees
left in an acre,

Wood felled
at xiii. peeres
growth, shalbe
preserved nine
peeres.

In what cases
our may sell
Standils,

The felling of
woods, where
in others haue
common.

5 Every person, body politique and corporate, hauing any seuerall woods or coppies growing and set with great trees, being about the age of xiii. peeres growth, shall at the felling or weeding thereof, leaue standing within the precinct of the saide wood and coppies for euery acre so felled xii. trees of Oke of the same great trees, if there be so many trees of Oke there to be left, and for lacke of Okes, then to leaue for euery acre so felled, as many other trees of Elm, Ash, Beech, or Aspe, as shall make the full number of xii. of such as shall be there then growing, the same trees there so left to stand, and to be preserved by such owner during xx. peeres, next after such felling of the same woods. And also shall from the xx. day of April next after the felling thereof, during the terme of nine peeres then next following, sufficiently inclose them, or the springes thereof otherwise saue from destruction by any manner of cattell, vpon paine that euery such person being owner of the sayd great woods, to forfait for euery such great trees of the said number lacking, & not left standing vi. s. viii. d. And vpon paine that euery owner of the ground whereupon such great trees shalbe left standing, causing, or commanding any of them to bee cut downe contrary to the forme of this Act, to forfait for euery of them so left, which shall be so cut downe vi. s. viii. d. And vpon paine also to forfait for euery rodde of such great wood so not inclosed or preserved during the said space of nine peeres for euery Honeth iiii. s. iiii. d. 35. H. 8. 17. 13. El. 25.

6 But it shall bee lawfull to euery owner of any of the sayd coppies, woods, vnderwoods, standils, great woods and trees afoze rehearsed, to sell and take any of the same for building, repairing, inclosing, and maintaining of houses, orchards, and gardens, and euery of them, and for pasing, raling, or inclosing of Parkes, Forests, Chales, or other grounds, and for making or repairing of water workes, dammes, bridges, sluogates, making, or repairing, or amending of shippes, and all other vessels, and for all other things concerning his owne vles or affaires, in such like maner, as hee might lawfully haue done before the making of this act. 35. H. 8. 17.

7 It shall not be lawfull to any person which shall haue any woods, or vnderwoods, wherein any other person or persons iustly hath, or haue vsed time out of mans remembrance, to haue common of pasture, to sell or cut downe the sayd woods, or vnderwoods there growing or being (except it bee to his owne vse and occupation) vntill the fourth part of such woods, vnderwoods, or grounds where the same woods growe, or as much as the fourth part of the sayd ground shall amount vnto, shall bee by the Lord and owner of the sayd ground deuised, set out, bounden, and inclosed in maner and forme hereafter declared, v. The saide Lord that then shall be owner of the sayde ground shall call together the tenants and inhabitants being commoners in the said ground, or the moze part of them, and vpon the assemblee and meeting of the said Lord, tenants, and inhabitants, or the moze part of them, the said Lord or owner, by the consent and agreement of the sayde tenants,

tenants, and inhabitants, of the more part of them, shall deuide, set out, mete and bound the iiii. part of the saide woods and underwoods, of so much thereof as shall amount to the full iiii. part thereof. 35. H. 8. 17.

8. ¶ And if the said Lord and the said tenants & inhabitants, of the more part of them, cannot, will not, or doe not agree, for or vpon the seuering, setting out, and bounding of the said iiii. part of the said woods & underwoods, of as much thereof, as shall amount to the full fourth part thereof, then if Justices of the Peace, not being of the kinne, alliance, counsell, or fee, of, or to the saide lord or owner (being thereunto appoynted by the more number of the Justices of peace of the Shire, where the said ground lyeth, in their open quarter Sessions,) vpon request and sute made vnto them by the Lord or owner, or by his lawfull deputie of the said woods, ground &c. shall haue full power to call before them vpon such paines and penalties, as the sayde Justices shall appoynt, such xii. of the said commoners and inhabitants nigh vnto the same woods &c. as by the sayde two Justices shalbe thought conuenient. And vpon or after the appearance of the same Lordes, owners, commoners, and inhabitants, of the more part of them, the same Justices shall declare vnto them, the cause of their assemble, and that done, shall by the aduise and assent of the said Lord, owners, commoners, and inhabitants, or their lawfull deputie or deputies, or of the more part of them, effectually proceede to the seuering, deuiding, meting, and bounding of the said fourth part of the said woods and underwoods, of of so much thereof as shall amount to the fourth part thereof. 35. H. 8. 17.

9. ¶ And if the same Justices, owners, commoners, and inhabitants, of the more part of them, cannot, or will not agree vpon the diuision, bounding, or setting out the sayde fourth part thereof, as is aforesaid: Then the sayde Justices shall haue full power to seuer, deuide, and set out, by mete and bound, the fourth part of the saide woods and underwoods, of so much thereof vnder the same fourth part, as shall by the sayd Justices be thought necessarie and requisite to be set out. And within the moneth next after such seuerance and setting forth thereof, the owner or owners of the same woods or underwoods in soyme afoze declared, shall sufficiently inclose the same part of the said ground so set forth, as is aforesayde. And after such inclosure made, hee may at his libertie sell and take the sayde woods and underwoods, being in or vpon the sayde copes, woods, underwoods, or ground so set forth or any part thereof. 35. H. 8. 17.

10. ¶ There shalbe left standing and unfelled in and vpon the saide part of euery the same woods or underwoods, or ground so seuered, bounded and set out distinctly, in soyme aforesayde, at euery selling thereof such and like number of standils or stoyers of yong okes & other yong trees of Elm, Ash, Aspe, or Beech if it be coppies, or underwoods which shalbe so felled, & if the woods that shalbe felled shalbe great trees, or great woods then such number shalbe left standing of great trees in or vpon the said part to all intents, and

Deuinding the fourth part of the wood.

Where two Justices with the lord and tenants shall deuide the wood.

Where the Justices onely shall make the deuision.

How many standils shall be left standing in common woods hitherto felled and felled.

Howe long
common
woods inclo-
sed shalbe kept
in severall.

Preserving of
standils not
cut downe.

Howe long
woods inclo-
sed from the
common, shall
be defended
from cattell.

Cutting of
wood in waste
ground.

The foresai-
tures.

The Lord of a
wood lying in
common in-
cluding one
4. part shalbe
retained of his
common in o-
ther 3. partes.

and vpon like, & the same penalties, as before is limited, for not leauing and
preserving of standils in severall woods and grounds. And the saide part so
fensed, bounden, and set out in maner and forme aforesaid, after every selling
of the coppies, woods, or vnderwoods for the time being, in or vpon the same,
shalbe sufficiently inclosed & fensed, and the inclosure thereof sufficiently and
continually made or repaired, & maintained by the space of ix. yeeres next after
every selling thereof, in like maner & forme to all intents, and vpon the same
and like penalties, as is before appointed for the not closing or fensing, or for
the not repairing & preserving of the said severall coppies &c. And also the stan-
dils, stoxers, and great trees appoynted to be left standing in or vpon the sayd
part, shalbe there left standing, preserved, and not cut downe, in such like ma-
ner, and by all such time, & vpon such like penalties, to all intents, as is afoze
limited for the preservation of the said stoxers, and great trees, appoynted to
be left, in and vpon the said severall coppies &c. 37. H. 8. 17. 13. El. 25.

11 ¶ After the said selling of the said coppies, vnderwoods, and woods
growing in any such part of the said woods, grounds, or places before declar-
ed, no beasts or cattell during the space of ix. yeeres next after the selling of
the same woods, shall willingly by any person be put in, or shalbe suffered to
feede or to continue in any parcell of any such part so set forth, as is aforesaid,
during the sayde terme of nine yeeres, next after the selling thereof, vpon
payne of forfaiture of iiii. d. for the putting in of any beast, or wilfull suffe-
ring of any beast, or cattell to be put into any of the said severall coppies, vn-
derwoods, or woods &c. 37. H. 8. 17. 13. El. 25.

12 ¶ If it shall happen any person being owner of any such woods, vn-
derwoods, or coppies, lying and being in any waste ground, to cut downe any
trees, or vnderwoods, contrary to the forme aforesayde, then every person
so offending, shall forfait for every tree so cut downe vi. s. viii. d. all which
foresaid forfaitures shall be to the Queene and A. to be recovered by A. J. &c.
wherein no C. E. P. &c. 35. H. 8. 17.

13 ¶ Forasmuch as the said tenants, commoners, and inhabitants shall
be excluded of their common in the said part so to be seuered, as is aforesaid,
by all the saide terme of ix. yeeres next after the selling of the saide coppies,
woods, and vnderwoods that shall grow vpon the same, in recompense there-
of, they shall and may vse and have their common for their cattell within the
residue of the said woods, vnderwoods, ground, and soile not being inclosed
in maner and forme, as if this act had neuer bene made, and the lord being
owner of the said ground shalbe excluded to put, or have any cattell or beasts
in or vpon the same residue, or to take any profit of the pasture in the said res-
idue, during and by the terme of vii. yeeres next after the selling of the sayd
coppies, woods or vnderwoods, growing vpon the said part which shall be so
seuered and inclosed as is aforesaid. And after the sayd nine yeeres expired,
vntill the next selling of the sayde coppies, woods, or vnderwoods, being
vpon the sayde part, being divided as is aforesayde, as well the same part,
as

as the said residue of the said ground shall lie and be used in common, and the pasture and other profits thereof shall and may be used and taken as well by the lord, being owner of the said ground, as by the said tenants commoners, & inhabitants, in like manner as it should or ought to have bene before the making of this act. 35. H. 8. 17. *Quere* whether the lord shall be excluded of his common for seven yeeres or nine yeeres: for the statute of 13. El. 25. giveth the lord two yeeres more then that statute of 35. H. 8. to inclose or keepe in severall his woods, but it doth not exclude the lord of his common for any further time, then in the said statute of 35. H. 8. is limited.

14. *It shall be lawfull* to every person to sell and to inclose all their coppies, woods, and underwoods in any waste grounds, which before the making of this act have bene used to be inclosed and kept for the maintenance of wood and underwood. 35. H. 8. 17.

15. *It the same part of wood and underwood so inclosed by the lord or owner of the same, as shall be to him limited by the said Justices of peace, or commoners, be not felled within foure moneths next after the inclosing thereof, then and so long as the same woods shall not be felled, it shall be lawfull to the said commoners to put their cattell into the same wood & ground so inclosed, and the owner thereof shall leave open convenient places within the same inclosure, whereby the commoners beasts may come into the same wood, & there to feed so long as the same wood shall be unfelled.* 35. H. 8. 17.

16. *This act shall not extend to any of the lords or owners of the woods, underwoods, or woodlands, growing, or being within any of the townes, parishes, or places commonly called or known to be within any of the wels of Here, Surrey, and Sussex, other then onely to the common woods growing and being within any of the said wels of the said counties.* 35. H. 8. 17.

17. *This act shall not extend to charge any person with any penalitie contained therein, concerning any timber trees growing within two miles of the sea in the countie of Cornwall, or any other timber trees within the realme, being sold and dealt in the tops, or any timber trees to be taken by licence of the Queenes admittion within the realme: Or of any offence done contrary to the tenor of this act, unless the person offending this act be sued for the same within one yeere next after the same offence committed.* 35. H. 8. 17.

18. *If any person do make or destroy any severall fences, or hedges, made for the saving of the same woods, underwoods, grounds, or soiles, he shall forfeit for every such offence 10. s.* 35. H. 8. 17.

19. *If any person suffer his swine being of the age of ten weekes or above, (during such tyme as the said woods be appointed by this act to be inclosed) to go or runne in any common, or severall ground or woods, unless the same be sufficiently ringed, or pegged, then the owner of every such swine, shall forfeit for every such his swine that shall be ringed &c.*

Woods bled to be inclosed.

The commoners shall enjoy their common so long as the wood is unfelled.

Woods in the wels of Here, Surrey, Sussex.

To what wood this statute extendeth not.

Breaking of wood hedges.

Swine shall not go in the wood unless ringed.

iiii. d. the one halfe of the saide forfeitures, if it be in any of the **Queenes** woods or grounds, to be to her highnesse, and the other to the siner thereof, and if it be within any other persons grounds or woods, the one halfe of the same forfeitures to be to the owners of the soile, and the other to him that will sue for the same by A. J. &c. wherein no **Act. 35. H. 8. 17.**

The felling of wood in a parke, wherein Deers is kept.

20. **C** Where any woods or underwoods shall be felled in any parke, or ground inclosed wherein any Deere shall be then kept, the owner or possessor of such parke or grounds shall be chargeable for the inclosure and preservation of the same, as is aforesaid, but onely for the space of sixe yerres after any such time of felling of the same woods &c. and not above. **An. 35. H. 8. 17.**

Where a stranger is cause of the offence, he shall be punished and not the owner of the ground.

21. **C** If the inclosure of any of the said copies, woods, underwoods, or grounds happen to be broken, or pulled downe by any person against the will of the owner or possessor of the same woods &c. whereby cattell escape into the same woods &c. and destroy or hurt the spring thereof, or if the same woods, ground or underwoods, be by any meanes destroyed, hurt, or hindered by any person, or by the cattell of any person, without the assent and will of such owner or possessor: in every such case the said penalties contained in this act, shall be extended vpon the same person by whose default the same spring, wood or underwood shall be so destroyed or hurt, and not vpon the owner or possessor of the said woods, grounds, or underwoods. **An. 35. H. 8. 17. 13. El. 25.**

Within what time cattell may be put into copies woods.

22. **C** It shall not be lawfull for any person to put any manner of cattell into any copies woods inclosed to be preserved, from the time of the sale thereof, untill the end of sixe yerres, nor from the end of sixe yerres, any other cattell but calves, and yering colts onely, untill the end of sixe yerres, if the wood was vnder the age of xiiii. yerres at the last fall, or untill the age of viii. yerres, if the wood was above the age of xiiii. at the time of the last fall. **13. El. 25.**

How a man may use his wood which is within the forest. Agestment.

23. **C** Every man that hath wood within the forest, may take the said wood without being attached by any officer of the forest, so that he do it by the view of the foresters. **1. Ed. 3. 2.** And every free man may take agestment in his owne wood within the **Queenes** forest at his pleasure, and shall haue his pownage, and may drive his swine through the **Queenes** demaine woods, so; to agest them in his owne woods or els where, and if the swine carrie one night in the forest, hee shall lose one of them thereby. **Carta de Foresta. 9. H. 3. 9.**

Purprestures, wastes, asserts made in the forest.

24. **C** Those that doe make purprestures in the woods, which they haue in forests without the **Queenes** speciall licence, or waste, or assert in the same, shall answer to the **Queene** for the same wastes, purprestures and asserts. But every free man shall without danger make in his owne wood in his ground, or in his water, which hath within the **Queenes** forest a mill, a poole, a pond, a marlepit, a ditch, or arable land, out of the corner of

How ech man may use his wood within a forest.

the

the forrest of ground which hath bene arable, so that it be not to the hurt of any of his neighbours, and also he may haue within his woods Apples of Hawks, Sparhauks, Falcons, Eagles and Perons, and the honie that is founde within his woods. Charta de Foresta. An. 9. H. 3. 4. 12. 13.

25. ¶ If any of the Queenes subjects hauing woods of his owne, growing in his owne ground within any forrest, chase, or purlieu of the same within this realme of England, shall cut or cause to be cut the same wood, or part thereof, by licence of the Queene, or of her heires, in her forrests, chases, or purliewes, or without licence in the forrest, chase, or purliewes of any other person, or make any sale of the same wood, it shalbe lawfull to the same subject, owner of the same ground whereupon the wood so cut did grow, and to other such persons to whom such wood shall be solde, immediately after the wood so cut, to copie, and inclose the same ground with sufficient hedges, able to keepe out all maner beasts and cattell out of the same ground, for the preserving of their pong spring, and the said hedges being so made, the said subjects may keepe them continually by the space of seven yerres next after the same inclosing, and repaire and susteine the same as often as shall need within the same seven yerres, without suing any other licence of the Queene, or of her heires, or other persons, or any of their officers, of the same forrests, chases, and purliewes. 22. Ed. 4. 7.

How long
woods felled
in the forrests
may be inclosed.

- 1 The for. for burning of any heape of wood felled, S. Burning 1.
- 2 At what time Oke trees meet to be barked, shalbe felled. S. Barke 1.
- 3 That no purueyours of timber shall fell any trees growing in or about any mans house, S. Purueyours 8.
- 4 That no purueyor of timber shall fell any timber to the Queens vse, but onely in barking time, or shall take away any more then only the timber tree. S. Barke 2.
- 5 That none shall buy wood but they which will burne or retaille the same. S. Fuel 1.
- 6 Where woods shalbe felled in or nere hie wayes, S. Hie wayes 18.
- 7 What woods may be felled, and in what places for the making of Iron, and what not, S. Iron.

¶ Woolles.

NO person being bozne within the Q. obeisance, shall buy, bargain, take, or make any promise or bargain of woolls, but only such person, his wife, or his apprentice, inhabiting in his mansion house, as shall of the said woolls make yarne, any kind of clothes, Chamlets, Woolsted, Sayes, Stamine, knit hose, knit petticoats, knit gloues, knit sleeues, hats, coifs, cappes, Arras, Tapestrye, couerlets, girdles, or any other thing vled to be made of wooll, or mixed with wooll within the realme, or els a merchant of the staple, or his apprentice dwelling in his mansion house, to be shipped onely to the staple, vpon paine of for. of the double value of the said woolls so to be bought or bargained, or taken by promise of bargain contrarie

Who onely
may buy
woolles.

The woolls of
the statute be to
be shipped onely
to the staple
of Callice.
Idco quere.

Woolles. V

to this act, to the D. and J. to be recovered by A. J. &c. wherein no T. & P. &c. 5. Co. 6. 7. Neither shall any denizen buy any woolles, but of the owner of the sheepe and the wooll, but in the Staple. 14. R. 2. 4.

Woolles grow-
ing in North-
berland &c.

2 **C** But the merchants of Newcastle, and other persons may buy woolles of the growth of the countie of Northumberland, Cumberland, Westmerland, Richmoure, and Alderson Wtre; or the bishopricke of Durlesme, to the intent to ship or transport the same into the parties beyond the sea, as they have bene accustomed; any thing in this act &c. notwithstanding. 5. Co. 6. 7.

Staplers may
sell their refuse
woolles & locks.

3 **C** And also the merchants of the Staple from time to time may bargain or sell their refuse course woolles, and locks, such as is not meet for the said Staple, to any person that will buy the same to make yarne or cloth, or other things, as is aforesaid, within this realme, so as the same be sorted and packed by the wooll packer, declaring of what packing or countrey the refuse or locks be, and writing upon the clothes wherein the said refuse wooll is packed, in great letters, as they do upon the woolles that are shipped to the Staple. 5. Co. 6. 7.

How Norfolk
wooll may be
bought & solde
againe within
the same coun-
tie.

4 **C** Every person dwelling within the countie of Norfolk, or citie of Norwich, by himselfe, or by his factor or seelant, may lawfully buy and bargain wools, and take and make provision to buy or bargain wools growing only within the said countie of Norfolk, so that the same person so buying or bargaining, or making promise to buy or bargain the said woolles, do sel or retaille the same againe in the common market, or other open place within the saide countie of Norfolk or citie of Norwich, to any person or persons that will buy the same or any parcell thereof dwelling within the said countie of Norfolk and citie of Norwich, or any of them, that will spin the same within the same countie or citie. 1. Co. 6. 6. 5. Co. 6. 7.

The inhabi-
tants of Halif-
ax may buy
wooll and sell
the same there
again.

5 **C** It shall be lawfull to any person inhabiting within the parish of Halifax, to buy any wooll, at such times as the Clothiers may buy the same (otherwise then by ingrossing and forestalling) so that the persons so buying the same, doe carrie or cause to be caried the said woolles so bought by them to the towne of Halifax, and there to sell the same to such poore folke of that and of other parishes adioyning, as shall worke the same in cloth of yarne (to their knowledge) and not to the rich Clothier, nor to any other to sell againe. And if either the wooll dymer shall sell his said wools at any other place forth of the said towne of Halifax, or if any such that shall buy their woolles at Halifax, shall sell their woolles that they bought againe unwrought in yarne or cloth, then every such offender shall forfeit the double value of the wooll so solde or uttered, to the D. and J. that will sue for the same in any of the Queenes courts of Record, or before the Justices of the peace in their sessions. 2. and 3. D. and W. 13. S. Justices of peace 98.

At what time
a merchant a-
lien may buy
wooll.

6 **C** No merchant stranger, by himselfe, or by any other person for him, in his name, or to his use, shall bargain, or buy any woolles before the
feast

feast of the Purification of our Ladie next after the clipping or shearing of the same woolles, upon paine of forfeiture of the double value of the same woolles, to the D. and J. to be recovered by A. J. &c. wherein no M. C. P. &c. 5. Co. 6. 7.

7 ¶ No person hauing any wooll of his owne growth, shall keepe the same woolles, to the intent to sell the same in woolles unwrought, aboue one whole pere next and immediatly after the shearing of the same woolles, so as there be offered without fraud or cotin to the owner or owners thereof within the same time, such price as then shall be most commonly giuen in the same shire for wooll of like goodnesse and packing, upon paine of forfeiture for euery tod or tod weight thereof so kept aboue one pere vnfolded, as is aforesaid, &c. to the D. and J. to be recovered by A. J. &c. wherein no M. C. P. &c. 5. Co. 6. 7.

No man shall keep his wooll aboue a pere, if he haue the ordinarie price offered for it.

8 ¶ No person shall winde or cause to be wound any fleere of wooll being not sufficiently riuered or washed, ne wind or cause to be wound within any fleere, clay, leas, stones, sand, talles, dreitfull locks, cot, calles, comber, lambs wooll, or any other thing, whereby the fleere may be the more weightie, to the deceit and losse of the buyer, upon paine the seller of any such dreitfull woolles to forfeit for euery such fleere vi. s. to the Queene and the finder, and prouer of the same deceit, to be recovered by A. J. &c. wherein no M. C. P. &c. 8. H. 6. 22. 23. H. 8. 17. 13. EL 25. And if any woolpacker do make any other but good and due packing, he that feelleth himselfe grieved thereby, shall haue his action of trespassse and deceit, at the Common law, against him, and if any stranger do force, clacke, or beard any wooll, he shall forfeit the same or the value thereof, and be imprisoned. 8. H. 6. 22.

Winning of woolles.

Woolpacker.

Force, clack, or beard wooll.

9 ¶ But this act concerning riuering and washing of any wooll, shall not extend to any shire or shires, the inhabitants whereof haue not customably vsed befoze this time, to riuer or wash their sheepe befoze they be shorne, nor shall be hurtfull to any persons that haue vsen customably to sell their woolles by sale, or number of the fleeces, and not by weight. 23. H. 8. 17. 13. EL 25.

Counties where wooll is not washed, or fleeced, sold by tale.

10 ¶ No denizen nor forren shall make any refuse of woolles, but of cot, gare, and villeine. Neither shall any buy woolles, by these wordes (good packing) nor other like wordes, upon paine to forfeit to the partie grieved double damages, and the broker shalbe halfe a pere imprisoned. And who soeuer doth cocket wooll but in the name of him whose the wooll be, shall forfeit them. 13. R. 2. 9.

What wooll may be refused.

Cocketting of woolles.

The Staple.

In the time of Edward the third, & si hence, diuers statutes were made for the placing, maintenance, & removing of the staple, and for lawes and ordinances to be obserued therein, and certeine Magistrates and officers were ordeined for the execution thereof, and senerall statutes were made, prohibiting woolles to be caried to any other place, sauing to Callice, or the places where the saide staple was established, but some of those sta-

tures be repealed, many expired, and the vse of the residue in effect taken away by the want of Callice, except those which be expressed in this and other titles of this treatise. But whether the staple is removed, by what warrant and authoritie, and in what sort, and how farre the statutes provided for the maintenance of the staple of Callice do extend, or may be executed for the maintenance of the same in any other place, Quære.

1. For the contents of a stone, and sacke of wooll. S. Weights 3.
2. For the custome of woolls. S. Custome 8, 18.
3. For the boyling of wooll, and with what stuffe it shall be boiled. S. Draperie 6. 6.

¶ Women.

Alienations,
recoueries, or
warranties
made by the
wife of the in-
heritance of
her late hus-
band.

IF any woman hauing estate in dower, or for terme of life, or in taile, liopntly with her husband, or onely to her selfe, or to her vse, in any manors, lands, tenements, or other hereditaments of the inheritance or purchase of her husband, or given to the said husband and wife in taile, or for terme of life, by any of the ancestors of the said husband, or by any other person seised to the vse of the said husband, or of his ancestors, and shall, being sole, or with any other after taken husband, discontinue, alien, release, or confirme with warrantie, or by conu. suffer any recouerie of the same against them, or any of them, or any other seised to their vse, or to the vse of either of them, after the forme aforesaid, all such recoueries, discontinuances, alienations, releases, confirmations, and warranties so had and made, shall be utterly void. And it shall be lawfull to euery person and persons to whom the interest, title, or inheritance after the decease of the said woman of the said lands, &c. being discontinued, aliened, or suffered, to be recovered in forme aforesaid should apperteyne, to enter into all and euery of the premises, and peaceably to possede and enioy the same, in such maner and forme, as he or they should haue done if no such discontinuance, warrantie, nor recouerie had beene had or made. 11. H. 7. 20. S. Statute Gloucester. 6. Edw. 1. If a woman do sell or giue in fee, or for terme of life, a tenement which she holdeth in dower, the heire or other to whom the land ought to reuert after the decease of the wife, shall immediatly haue his recouerie by writ of Entrie out of the Chancerie.

¶ Writ of En-
trie in case
prouiso.

¶ Upon the re-
couerie or alie-
nation of the
woman, he in
the reuerſion
may enter.

¶ If woman
conuert bound
but during her
husbands life.

If any of the said husbands and women, or any other seised to the vse of them, of the estate aforespecified, do make or cause to be made, or suffer any such discontinuance, alienations, warranties or recoueries in forme aforesaid: Then it shall be lawfull to the person or persons, to whome the said lands, &c. should or ought to belong, after the decease of the said woman, to enter into the same, and them to possede and enioy, according to such title and interest, as they should haue had, if the same woman had bene dead, no discontinuance, warrantie, nor recouerie had against the said husband during his life, if the said discontinuance, alienation, warranties, and recoueries be had by or against the same husbands and women during the espou-
sall

fall betwixt them, But the said women after the decease of their said husbands, may reenter into the same lands, &c. and them enjoy, according to the first estate in the same. 11. H. 7. 20.

3. ¶ If the said women at the time of such discontinuance, alienations, recoveries, warranties, in forme aforesaid, had and made, of any the premises be sole, then they shall be excluded of her title, and interest, in the same from thenceforth, and the person to whom the title, interest, and possession of the same should belong after the decease of the said woman, shall immediately after the said discontinuance, alienations, recoveries, and warranties enter into the same lands, &c. and them possede and enjoy according to his title in the same. 11. H. 7. 20.

4. ¶ This act shall not extend to any such recovery or discontinuance had with the heires next inheritable to the said woman, or to her or they that next after the death of the same woman should have estate of inheritance in the same lands, &c. be assenting and agreeable to the said recoveries, where the same assent and agreement is of record or enrolled, And it shall be lawfull to every such woman being sole, or married, after the death of her first husband to give, sell, or make discontinuance of any such lands, for terme of her life onely, after the course of the Common law. 11. H. 7. 20.

5. ¶ No fine, feoffment, or other act, made, suffered, or done by the husband onely of any lands, tenements, or hereditaments, being the inheritance or freehold of his wife, during the coverture betwixt them, shall in any wise be, or make any discontinuance thereof, or be prejudiciall to the wife or to her heires, or to such as shall have title, interest, or right to the same by the death of such wife, But the same wife or her heires, and such others to whom such right shall apperteyne after her decease, shall & may then lawfully enter into such lands, &c. according to their rightes & titles therein, notwithstanding such feoffment or other act, (fines levied by the husband and wife whereunto the said wife is partie and privie except.) But this act doth not give libertie to the wife, or to her heires, to avoid any lease made of any inheritance of the wife by her husband and her for terme of one and twentie yeeres or under, or for terme of three lives at the uttermost, whereupon as much pecerly rent or more is reserved, and pecerly payable during the same lease, as was at any time therfore paid within twentie yeeres next befoze the making of any such lease. 32. H. 8. 28. Neither doth this act give libertie to the wife or her heires to avoid any recoveries, deeds, enrolled, or releases, being in the nature of fines (whereupon women covert are used to be examined) knowledged & taken befoze the mayors, aldermen, recorders, chamberleines, or other head officers of the citie of London, or other cities, boroughs, or townes corporat, having power to receive & take the same, according to the customs of the said cities, boroughs, &c. But the same recoveries, deeds enrolled, & releases shall remaine of like strength to all intents as

A woman sole aliening or suffering recovery.

A woman doth discontinuance or suffer recovery with the heires consent.

A woman may give land for terme of her owne life.

The husbands only act of the wifes lands shall not prejudice her, or her heires after his death.

Leases made by husband and wife of the inheritance of the wife.

Recoveries or deeds enrolled in corporat townes.

Lands recover
ed against the
husband by
default.

Conveying a
maid under
sixteen peeres
of age.

The foyle for
taking away
a maid under
sixteen peeres
of age.

Taking away
a beshowing
or contracting
matrimonie
with a woman
under sixteen
peeres of age.

Who may
heare and de-
termine the
offences a-
foresaid.

they were before the making of the foresaid statute of 32. H. 8. 34. H. 8. 12.
8. Westminster. 2. 13. Edm. 1. 3. that if the husband doe lose by default any tene-
ment which hath his wifes right, the wife after the death of her husband
may recover the same by a Cui in vita.

6. ¶ It shall not be lawfull to any person or persons to take or convey,
or cause to be taken or conveyed away, any maid or woman childe unmar-
ried, being within the age of sixteen peeres, out of, or from the possession,
custodie, or governance, and against the will of the father of such maid, or
woman childe, or of such person to whom her father by his last will, or by a-
ny other act in his life time shall assigne, bequeath, give, or grant the order,
keeping, education, or governance of her, except such taking away shall be
had or made by or for such person as without fraud then shall be the master
or mistresse, or the gardian in socage, or gardian in chivalrie, of or to such
maid or woman childe. 4. and 5. H. 8.

7. ¶ If any person or persons above the age of xiii. peeres shall unlaw-
fully take or convey, or cause to be taken or conveyed any maid or woman
childe unmarried, being within the age of xvi. peeres, out of, or from the pos-
session and against the will of the father or mother, or of such person or per-
sons as then shall have by any lawfull meane, the order, keeping, educati-
on, or governance of any such maid or woman childe, Then every such of-
fender being thereof lawfully attainted or convicted by the due course of
the law of this realme (other then such of whome such person taken away
shall holde any lands or tenements by knights service) shall be two peeres im-
prisoned, without baille or mainprise, or els shall pay such fine for his said
offence to the D. and P. grieved, as shall be assessed by the Queenes Coun-
cell in the Starre chamber at Westminster. 4. and 5. H. 8.

8. ¶ If any such person or persons shall so take away, or cause to be ta-
ken away, as is aforesaid, and beshowe any such maid or woman childe, as
is aforesaid: Or shall against the will, or unknowing of, or to her father, if
the father be in life, or of, or to her mother (having the custodie and govern-
ance of such childe, if the father be dead) by secret letters, messages, or o-
ther wise, contract matrimonie with any such maiden or woman childe (ex-
cept such contracts of matrimonie as shall be made by the consent of such
person or persons as by the title of wardship shall then have or be entitled
to have the marriage of her) then every such offender being thereof law-
fully convicted &c. shall suffer imprisonment five peeres, without baille or
mainprise, or els shall pay such fine for his said offence to the Queene and
partie grieved, as shall be assessed by the Queenes councill in the said Star
chambe. 4. and 5. H. 8.

9. ¶ The Queenes Councill of the Starre chamber by bill of com-
plaint or information, and Justices of assise by inquisition or indictment,
have authoritie to heare and determine the said offences, upon every which
indictments and inquisitions such process shall be awarded, as upon an in-
dictment

dictment of Trespasse at the common Law. 4. & 5. P. & P. 8.

10. **E**f any woman childe or mayden, being about the age of xii. yeres and under xvi. doe at any time consent to such person that so shall make any contract of Matrimonie, contrary to the forme and effect of this Statute: Then the next of her kinne to whome the inheritance should returne or come after her decease, shall from the time of such assent, have and enjoy all such lands, tenements, and hereditaments as she had in possession, reversion, or remainder, at the time of such assent, during the life of such person that shall so contract matrimonie. And after the decease of such person so contracting matrimonie, then the saide landes &c. shall descend, revert, remaine, and come to such person or persons, as they should have done in case this act had neuer bene made, oether then to him onely that so shall contract matrimonie. 4. & 5. P. & P. 8.

If a woman betwixt xii. and xvi. doe consent to an unlawful contract of matrimonie, her next heire may enter upon her lands.

11. **B**ut this acte shall not extend to take away or diminish any libertie, custome, or authoritie, concerning any Dyphanes within the Citie of London, or any other Citie, borough, or Towne where Dyphanes are commonly vsed to be provided for, either by graunt or by custome: But the Lord Mayor of the said Citie of London, and the Aldermen of the same, and euery other head officer of any other citie &c. where such Dyphanes bee provided for, shall, and may haue, and take like rule, order, keeping, and charge of such Dyphanes, and of al their lands, tenements, goods and cattels, as heretofore they vsed, or lawfully might haue had and vsed, if this acte had not bene made. 4. & 5. P. & P. 8.

Dyphanes.

12. **I**f any person or persons doe take any mayde, widowe, or wife, which hath any landes or goods, or is heire apparant to her auncesser, against her will unlawfully: such taking, procuring, and abetting to the same, and also receiuing wittingly the same woman so taken against her will, and knowing the same, is felony, and such misdoers, takers, and procurators to the same, and receiuers knowing the said offence in soyme aforesaid, shall be reputed and iudged as principall felons: But this act doeth not extend to any person taking any woman, onely clayming her as his Ward or bondwoman. 3. P. 7. 2.

Taking a woman against her will.

13. **I**f any person or persons will take by force, or dissimulation, or by any other meanes will get into his or their possession any woman being sole, hauing any landes, tenements, or moveable goods within this Realme, and conuey her into any place where hee or they be of power, and will not suffer her to goe at libertie, untill shee will be bound unto him or them, or to some other, to his or their vse, in a summe of money in an obligation, or obligations simple, or conditionall, or by obligation of the Statute Merchant before a Mayor or Bayliffe, hauing power to take such recognisances, or will cause the said sum to be leuied of her landes or goods, or will cause her to be married against her will: Then the partie which is bound may haue a Writte out of the Chancerie conceyning all the matter of her unreasonable intrcatie,

Warder, bondwoman.

If a woman enforced to be bound by obligation, or statute against her will.

intreatie, directed to the Shriefe of the Countie where any of the sayd offences shalbe committed, commanding him that hee shall by force of that writ, make Proclamation in the full and next Countie after the receipt of the said writ, that the person or persons contained in the said writ shall appeare at a certaine day and place pyctured in the said writ, before the Chancelour of England, or before the Iustices of Assise in the Countie where the sayde offence was committed, or otherwise before some worthy person appointed by the Chancelour, at which day and place if the partie or, doe appeare, the Chancelour, Justice, or other person assigned, shall examine him duely upon the premisses, by which examination if they may finde the saide obligation or obligations to be made in such forme as is aforesaide, then the sayde obligation or obligations, and all pproses and execution thereupon pursued, shall be voyde. And if it be found by examination before them, that any of the saide obligations were made for very duertie, and by no such meane as is aforesaid, Then the said obligation or, and all the pproses and execution pursued thereupon shall be good and effectuall. And if the person or persons in such writs named, against whome any such letters or writs shall be sued, doe make default at the day and place limited in the saide writs: Then all such obligations as be aboue specified and in the saide writtes expressed, and all manner of pproses, and executions sued or pursued thereupon shalbe void.

31 Hen. 6. 9. **¶** The Shriefe to whome such writs upon this statute commencing, shalbe directed, shall execute the said writtes according to the tenour thereof, upon paine of CCC. li. whereof the Queene shall haue the one moiitie, and the partie which sueth the Proclamation the other, for the which moiitie the said partie grieved shall haue an action of debt against the said Shriefe with pproses of outlawry, wherein no III. p. ye. nor foraine plee to be tried in any other place, but where the writ commenced upon the statute is sued.

31 H. 6. 9. **¶** If any man doeth alien the right of his wife, the womans suite, or her heires, shall not be differred after the death of her husband by the minority of the heire which ought to warrant it, but the buyer (which ought not to be ignorant that he hath bought an others right) shall carrie to haue his warrantie untill the full age of the heire. West. 2. 13. Ed. 1. 40.

¶ What punishment doeth ensue the Rape of a woman, or consenting to rape. S. Rape. 1. 2. 3.

¶ Where a woman shal haue her quarantine, where her ioynture, where her dower, and what causes there may be of conclusion or forf. S. Dower. 1.

¶ Where a woman may haue appeale of death or murder. S. Appeales. 4.

¶ In what case a woman aboue the age of xii. yeeres is compellable to serue. S. Labourers. 14.

¶ What leases made of a womans landes during her couerture shall binde her, and what not. S. Leases. 1. 2. 3.

What the Shriefe shall do, if he doe not execute this writ.

A womans suite shall not be differred by the minority of the heire which should warrant.

6 How widowes or other women, which hold of the Queene in chiefe shalbe vsed in euery respect. S. Prærog. 4. 5. 17.

7 In what cases a woman couert shall be receiued to defend her right of lands demaunded. S. Receipt. 1.

8 That a will made by a woman couert of lands is not effectual in law. See Willes 17.

9 That a wil made by a widow of her croppe is good. See VVilles 20.

VVorstedes.

NO person shall take vpon him to dyecalender any Worsted within this Realme, vpon paine to forfaitte for euery Worsted that is so dyecalendered C. s. 5. Hen. 8. 4. 25. Hen. 8. 5.

2 No person or persons shall take vpon him or them to wetcalender any worsted, but only such persons as haue bene bound appyntices to other persons of the same occupation of wetcalendryng of Worsted by the space of viij. yeeres, or be cunning in the same, and their cunning approued and admitted by the Maior of Norwich, and the two Pastors of the saide craft, ycerely to be chosen within the said Citie of Norwich, or in the Countie of Norfolk, of the craft of wetcalendryng vpon paine of euery such person which shall doe the contrary to forfaitte for euery peece so calendered against the purueyances aforesaid C. s. to the Queene & to the Pastors of the said occupation of wetcalendryng for the time being. And it shalbe lawfull to the Pastors of the saide occupation (for the time being) and their successors, to sue for the one moitie of all such penalties forf. against euery such person, as shall do contrary to the forme and effect of this stat. by Action of debt, or by B. P. J. &c. wherein no W. or C. P. or 5. H. 8. 4. 25. H. 8. 5.

3 No person vsing the mysterie of dying of Worstedes, stamming, or sayes, or any of them, neither by himselfe, his seruant, factor, depucie, or any other by his assignement, shall vse to calender any Worstedes, stamming, or sayes, or any other commodities made of Worsted yarne, during all such time as hee shall vse the mysterie of dying aforesaid, vpon paine to forfaitte for euery peece so died, and calendered, by fraude or contrary to the true meaning of this Acte xl. shillings to be deuident into iii. equall parts, the one to the Queene, one other part to the Maior of Norwich, and the thirde part to him or them that will sue for the same by A. J. &c. wherein no C. P. or delay &c. 25. Hen. 8. 5.

4 No person shall transport beyond the sea any clothes of Worsted, before the same be shorne, died, coloured, and calendered, vpon paine of forf. of the value thereof to the Q. & J. to be recovered by A. J. &c. wherein no W. or C. P. or 14. Hen. 8. 3. 26. H. 8. 16.

5 The Marchants and workers of Clothes, called single Worsted, may carry boltes of single Worsted to what parts they will, (except to the Queenes enemies) paying the customes and subsidies thereof due, notwithstanding

No worsted
shalbe dyed ca-
lendered.

Who that wet
calender worste
sted.

None that dy-
eth worsteds
shall calender
them.

No Worsted
transported
before the same
be shorne, died,
and calendered.

What worst-
eds may be
transported, &
what not.

standing any statute, or statute, proclamation, inhibition, commandments, or charters, liberties, vases, or privileges, granted or to be granted to the Merchants of the Staple, or to any other, made or to be made to the contrary. But under the colour of the saide boltes of single worsted, they shall carry no double worsteds, nor halfe double, nor worsteds raze, nor Pot-ley, upon paine of forfaiture of the same. 17.R.2.3.

Every man
shall put his
marke to his
Worsted.

6 ¶ No man of the craft of worsted weavers, within the Citie of Nor-
wich, or the Countie of Norfolk, shall make any worsted, vntlesse hee put
his proper marke fixed or wouen vpon the same, ordeined by the Wardens
of the said Mysterie, vpon paine to forf. the same to the Queene, and for eu-
ery peece of worsted sold, not marked after the forme aforesaid, the first seller
shal forsaite the price of the peece so by him sold to the Queene. 7.Ed.4.2.

Who shalbe
Worsted wea-
uers of great
Parmouth
and Linne.

7 ¶ No person inhabited within either of the Townes of great Par-
mouth, or Linne in the Countie of Norfolk, or the Suburbs thereof, shall
weaue, or make any worsteds, sayes, or stamming, within either of the same
townes, except he be an Englishman borne, and haue bene appyntice to the
said occupation, and without he weaue therein such proper marke, as shalbe
appointed by the Warden of either of the said townes where he shall inha-
bite for the time being, elect and swayne, vpon paine of forf. thereof to the
Queene. And every Warden of either of the said townes shal limit distinct
and seuerall marks to euery of the said worsted weavers of the same townes
of great Parmouth and Linne, and the same markes by the saide Wardens
shalbe registred in a booke. 14.H.8.3.26.H.8.16.

The worsted
of Linne and
Parmouth
shalbe dyed,
shorne, & cal-
endered at
Norwich.

8 ¶ The crafts men of worsted weavers inhabited within either of the
said townes of Linne and Parmouth, or suburbs of the same, and the Mer-
chants or any other person or persons which shall buy of any of the same
crafts men, or of any other person, any of the said clothes of worsteds, stam-
ming, or sayes, made within either of the saide townes of Linne and Par-
mouth, and sealed by the Wardens of the same townes, nor any of them that
not sheare, dye, or put in colour, or calender any worsteds, stamming, or
sayes made within either of the saide townes of Linne and Parmouth, or
suburbs of the same in any other place, but onely within the Citie of Nor-
wich, or suburbs of the same, vpon paine of forf. of euery peece of worsted,
sayes, or stamming, to be made within any of the saide Townes of Linne
and Parmouth, or Suburbs of the same, or the value thereof shorne, dyed,
coloured or calendered by any of the sayde crafts men, buyers or marchants
in any other place, then in the said citie of Norwich or suburbs of the same,
the one halfe thereof to the Queene, and the other halfe to such person or
persons as shall seyle the same, so that the sayde worsteds brought to
the sayd Citie of Norwiche to be shorne, dyed, coloured and calendered with-
out coun. or craft of any of the saide inhabitants and Merchants, may bee
shorne, dyed, coloured, and calendered, at and by as conuenient price, and in as
ready wise as the said inhabitants of Linne or Parmouth, and marchants,
buyers

buyers or other of the said Citie or Countie hath had in times past, or hereafter shall haue, and also that euery of them so bringing their said woollens to the same Citie for to be shorne, dyed, coloured, and calendered, be reasonable and lawfully entreated. 14. Hen. 8. 3. 26. Hen. 8. 10.

6. Every peece of Woollen shall bee pursuant through the peece of lawfull making, good, and convenient stiffe, and shall holde the length, and breadth, as the assise was wont to bee of olde time, righteously accustomed, viz: Beds of the greatest assise xiiii. yardes largely in length, and iii. yardes largely in breadth, and beds of the meane assise xii. yardes in length, and iii. yardes in breadth, and beds of the least assise xiiii. yardes in length, and two yardes and a halfe in breadth, and clothes called Honkes clothes xii. yardes in length at the least and five quarters in breadth, and clothes called channon clothes of the one assise vi. yardes in length, and ii. yardes in breadth, and of the other assise v. yardes in length, and iii. quarters in breadth, and double motlies xii. yardes in length, and v. quarters in breadth, and single motlies vi. yardes in length, and five quarters in breadth, and double Woollen xiiii. yardes in length, and five quarters in breadth, and the halfe double Woollen vi. yardes in length, and v. quarters in breadth, and the roll of Woollen xxx. yardes in length, and halfe a yarde in breadth, and no Lambes wool shall be put in any of the said Woollens, and the wardens of the craft of Woollen weauers of the Citie of Norwich and Countie of Norfolk, and euery of them for the time being, haue power to seise all such clothes and stiffe being defectiue: And the Mayor of Norwich, and Stewarde of the Duchie of Lancaster within the sayde Countie of Norfolk and euery of them, by twelue of the discreete artificers of the sayde Citie and Countie, haue power at all times to enquire, heare, and determine of all such as doe against the sayde ordinances within the sayde Citie or Countie. 7. Edm. 4. 1.

¶ In the foresayde Statute of 14. Hen. 8. 26. Hen. 8. & 7. Edw. 4. there bee seuerall provisions made for Wardens of Worsted weauers, to bee yeerely elected in Norwich, Linne, and Yarmouth, and appointing where, when, and before whome they shall take their Othes, what wares they shall search and seale, and what they may seise, and what fees and authoritie in eche respect they shall haue, by what names they may sue or bee sued, and what forfeiture they shall make for any offence committed, or default omitted, and by whome and what meanes those forfeitures shall be leuied.

1. Who may buy Worsted yarne spunne in Norwich, or in the Countie of Norfolk. S. Yarne. 1.

2. That worsted yarne spunne in England, shall not be transported beyond the seas. S. Yarne. 2.

3. What Prentices worsted makers dwelling in Linne, and great Yarmouth may take S. Labourers 3. 2.

VVrecke of the sea Yarne &c.

VVrecke of the Sea

which shalbe
saide ship-
wreake, and
which not.

Item it is
ordained
that if any
ship be
wrecked
in the
sea, and
the goods
therein be
founde, and
the ship
be not
founde, the
goods shall
be saved, and
the ship
shall be
wrecked.

VVhere a man, a dogge, or a cat escape quicke out of the shippe, such
ship nor barge, nor any thing within them shalbe adindged wreck,
but the goods shalbe saued and kept by view of the Shrifes, Coroner, or the
Queenes bailife, and deliuered into the handes of such as are of the towne
where the goods were founde, so that if any sue for those goods, and after
prooue that they were his or his masters, or perished in his keeping within
a yeere and a day, they shalbe restoyed to him without delay, and if not, they
shall remaine to the Queene, and be leyed by the Shrifes, Coroners, and
bailifes of the Towne, which shall answer, before the Iustices of the
wrecke, belonging to the Queene. And where wrecke belongeth to ano-
ther then to the Queene, hee shall haue it in like maner, and hee that othe-
wise doeth, and thereof is attainted, shall bee awarded to prison, and make
fine at the Queenes pleasure, and shall yeelde damages also. And if a bai-
life doe it, and it be disallowen by his Loyde, and the Loyd will not discharge
him thereof, the Baylife shall answer, if hee haue whereof, and if he hath
not whereof, the Loyd shall deliuer his baylifes body to the Queene. West.

1.2. Ed. 1.4.

1 That a Coroner shal enquire of the wrecke of the Sea, and the price
thereof, and deliuer it to the townes to answer. S. Coroners. 11.

2 That the Queene by her prerogative shall haue the wrecke of the
sea S. Prerogative. 12.

Yarne and Thrommes.

Who may
buy worsted
yarne in Nor-
folk or Nor-
wich.

NO person shall buy, nor cause to be bought within the Citie of Nor-
wich, or Countie of Norfolk, any Yarne called Worsted yarne, the
which shalbe spunne within the saide Citie or Countie, but onely weauers,
or other Artificers the which shall weaue, or otherwise worke or cause to be
woven or wrought the sayde Yarne in the saide Citie of Norwich, or else
where within the saide Countie of Norfolk, byon paine of forfaiture for
euery pound weight of worsted yarne so bought, & not woven or wrought,
as is aforesaid 11. shillings. But it is lawfull to euery Hatmaker, dwelling
within the Citie of Norwich, to buy such of the saide Worsted yarne, as is
called and knownen by the name of middle Lasse yarne, as they haue hereto-
fore used to doe, so that the said middle Lasse yarne so bought be wrought in
hattes, or imployed to hatmakers within the said Citie. 33. D. 8. 16. 1. Ed.
6. 6. 5. Ed. 6. 7.

middle Lasse
yarne.

Who worsted
yarne shalbe
transported.

3 If any person doe shippe or conuey, or cause to be shipped to conuey
beyond the Sea, or els doe carie or cause to be caried beyonde the Sea any
Yarne called Worsted yarne, not wrought or made in cloth, so that such
Yarne be spunne or made within England, then hee shall forfait for euery
pound of Worsted yarne so shipped, conueyed, or caried 11. s. 33. D. 8. 16. 1.
Ed. 6. 6. 5. Ed. 6. 7.

3 **W**hoſoever doeth carrie out of the Realme any Thrummes or wollen Yarne, under the colour of Thrummes, ſhall forfeite the double value of the ſame. 8. Hen. 6. 23.

4 **A** Roman ſhall buy yarne of wooll, called Wollen yarne, if hee will not make cloth thereof, upon paine to forfeite the ſame yarne, and foure fold damages, to have two yeeres impriſonment, & to make fine at the Queenes pleaſure. 8. Hen. 6. 5.

1 That no woollen yarne ſhall bee transported, but which is wrought within this Realme. S. Draperie. 105.

2 That none ſhall buy coloured Yarne, but in open market. S. Draperie 74.

3 That the weauer ſhall put in all the Yarne to the cloth, or reſtore it. S. Draperie 80.

FINIS.



Imprinted at London by the Deputies of Christopher Barker, Printer to the Queenes most excellent Maieſtie.

Anno 1592.

Cum privilegio ad imprimendum solum.